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MASS GRAVES AND OTHER ATROCITIES IN BOSNIA

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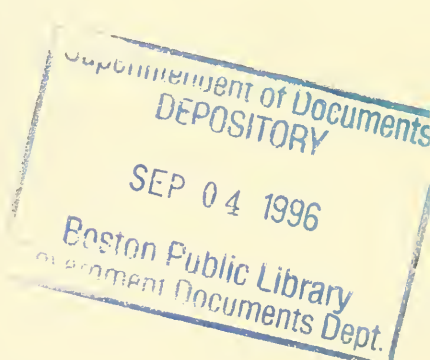
Mass Graves and Other Atrocities in...

HEARING BEFORE THE COMMISSION ON SECURITY AND COOPERATION IN EUROPE ONE HUNDRED FOURTH CONGRESS FIRST SESSION

DECEMBER 6, 1995

Printed for the use of the
Commission on Security and Cooperation in Europe

[CSCE 104-1-9]



U.S. GOVERNMENT PRINTING OFFICE
WASHINGTON : 1996

22-478CC

For sale by the U.S. Government Printing Office
Superintendent of Documents, Congressional Sales Office, Washington, DC 20402
ISBN 0-16-052829-1

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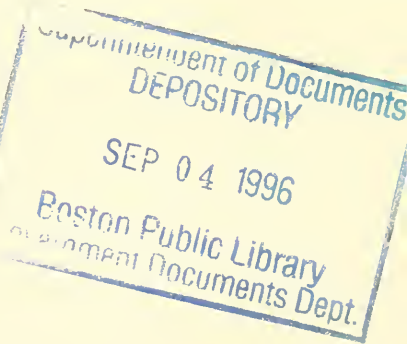
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CONTENTS

	Page
Opening Statement of Chairman Christopher H. Smith	1
Opening Statement of Hon. Steny H. Hoyer	2
Statement of Ivan Lupis, Researcher, Human Rights Watch/Helsinki	4
Statement of David Rohde, Correspondent, "Christian Science Monitor"	10
Statement of Dr. Barbara C. Wolf, Forensic Pathologist, Americares	18

APPENDIX

	Page
Written Statement of Chairman Christopher H. Smith	50
Written Statement of Co-Chairman Alfonse D'Amato	51
Written Statement of Hon. Steny H. Hoyer	53
Dr. Barbara Wolfe's Written Statement	55
Report of Human Rights Watch/Helsinki, "The Fall of Srebrenica and the Failure of U.N. Peacekeeping," October, 1995	62

MASS GRAVES AND OTHER ATROCITIES IN BOSNIA

WEDNESDAY, DECEMBER 6, 1995

COMMISSION ON SECURITY AND COOPERATION IN EUROPE,
Washington, DC

The Commission met at 2:06 p.m., in room 628 of the Dirksen Senate Office Building, Honorable Christopher H. Smith, chairman of the Commission, presiding.

Commission members present: Hon. Christopher H. Smith, Chairman; Hon. Steny. D. Hoyer; and Hon. John Edward Porter.

House members present: Hon. Bill Zeliff; Hon. Benjamin Gilman; and Hon. James Moran.

Witnesses present: Ivan Lupis, David Rohde, and Barbara Wolf.

OPENING STATEMENT OF CHAIRMAN CHRISTOPHER H. SMITH

Chairman SMITH. The Commission will come to order.

The conflict in the former Yugoslavia, and in Bosnia in particular, has been a constant issue of the U.S. foreign policy agenda during the past 4 years. In these past few weeks, the working-out of a peace agreement with its accompanying commitment for NATO forces has been the leading issue on that agenda.

Today's hearing on Bosnia, however, is about a gruesome and solemn subject matter: namely, the atrocities against children, against women, and against men. These indescribable atrocities are the realities which warranted giving Bosnia such a place of prominence in our foreign policy.

While the international community deals with the formalities of exchanging territories among the warring parties and populations, the reality of Bosnia has been a land in which people—innocent civilians—have been raped, tortured, expelled from their homes, and executed by thugs. Documenting the war crimes, bringing the evidence before the War Crimes Tribunal, and pursuing justice through the tribunal are the foundation stones for reconciliation and a genuine peace.

The Helsinki Commission has an obligation, among other things, to document the violation of human rights. The role is vital, in and of itself. We owe it to the victims, and it is our hope that the attention given to the violations in Bosnia may deter future violations. Making the details a part of the official record of the Com-

mission also helps those of us who must consider diplomatic and military responses to stay grounded in the reality of the situation that we are facing.

We have today three expert witnesses who have spent time in Bosnia and who have met the real victims of this war or their surviving family members and documented their almost incomprehensible ordeals. We will first hear from Ivan Lupis, a researcher from Human Rights Watch/Helsinki, who will describe how and why the U.N.-declared safe haven of Srebrenica failed to deter militants and generally what happened thereafter.

We will then hear from David Rohde of the *Christian Science Monitor*, who was able to visit the sites of the alleged mass graves in eastern Bosnia and confirm their existence. He also had the unfortunate experience of being caught by the Serb militants and held by them for about 10 days. Mr. Rohde, therefore, has not only firsthand experience with the victims, but also with the perpetrators of crimes against humanity.

Finally, we will have testimony presented by Barbara Wolf, a forensic pathologist from Albany, New York, who has visited many mass grave sites in Bosnia and neighboring Croatia under the auspices of AmeriCares in order to help identify the remains. Press reports about this effort indicate the importance of this work for those families who may suspect, but do not know, the actual fate of their loved ones, not to mention for the possible prosecution, at the International Tribunal in the Hague, of those who created and filled these graves with victims.

I want to welcome our panelists to the Commission and thank them for the great work that they have done in documenting these heinous acts which have been perpetrated against civilians. I would also, at this point, like to yield to my very good friend, the ranking member of the Commission, Mr. Hoyer.

OPENING STATEMENT OF HON. STENY H. HOYER

Mr. HOYER. Thank you very much, Chairman Smith. I want to thank you for having these hearings. They are very important and they are very timely. It is a sad task before us today, but one that must be undertaken: the examination of testimony about genocide, mass graves, rape, executions—unspeakable and unacceptable atrocities.

The past 4 years in Bosnia have seen the recurrence of a European nightmare that we all thought had ended 50 years ago. We have before us a distinguished panel of witnesses, all who have seen firsthand the results of unbridled ethnic hatred. Mr. Rohde himself was captured by the Bosnian Serb militants for daring to bare to the world the gruesome killing fields of Srebrenica, where as many as possibly 8,000 Muslim men were summarily executed following the overrunning of that safe haven.

Those killing fields were not limited, of course, to Srebrenica and Zepa, but are found throughout Croatian and Bosnian territory overrun by the militants. On October 16, 1995, a *USA Today* article detailed the exhumation of a mass grave in the

recently liberated Krajina region of Croatia—a site of much of Dr. Wolf's work, as we will hear shortly from her testimony.

According to that article, dozens of family members gathered in the morgue of Split Clinical Hospital to try to identify remains of loved ones, including watches, crucifixes, and pieces of clothing found with the bodies. The article reveals, and I quote, "A BMW car key found on Body Number 28 was given to a woman who claims her husband, hotel manager Mate Steko, age 33, had a similar car. The woman, who was Bozana Steko, 32 years of age, races home to see if the car starts. It does."

Mr. Chairman, this tragic story and hundreds like it will be retold in the weeks, months, and perhaps years ahead. We must listen to the painful testimony. We must record with the utmost care and attention. We must continue to investigate, and we must bring to justice those responsible for these crimes.

Fifty years after the cry, "Never again," rang out from the death camps of Europe, we are again exhuming bodies from mass graves in Europe and recording atrocities committed against innocent people simply because of their ethnic or national background.

Mr. Chairman, we as members of the international community, not just as Americans, not just as members of Congress who are this Commission, but as members of the international community, must recommit ourselves to that haunting phrase. We must redouble our efforts to ensure that the goal of justice before vengeance enshrined in Nuremberg is, in fact, achieved.

Justice before vengeance. Now, many of us traveled throughout Europe and heard about things that needed to be redressed that occurred 50 years ago, 100 years ago, and 200, 300, 400 years and centuries ago. But those who feel aggrieved saw their grievances never redressed. Therefore, the cycle of vengeance and terror and atrocities and killings go on.

We have witnessed the conclusion of the long-awaited and strenuously-achieved peace agreement among the parties to the conflict in the former Yugoslavia. Plans to implement that agreement are underway. However, Mr. Chairman, I'm convinced that a lasting resolution of this conflict requires breaking the cycle of violence and vengeance that has racked this region, not just in this century, but as I said, in centuries past.

This goal can only be achieved through the administration of justice by an impartial International Tribunal, which is already moving forward with its work. The United States, Mr. Chairman—and I hope our Commission is in the forefront of urging it to do so—must continue to take the lead in strongly supporting the efforts of the War Crimes Tribunal. We must undertake this effort because where there is not justice, vengeance will most certainly reside and flourish and continue.

The people of the former Yugoslavia must have both the satisfaction and the deterring example of justice now. If not, we can be virtually assured that there will be more violence, more killings, and more atrocities. Mr. Chairman, we cannot allow this to happen. This hearing, I think, is an important element in continuing to educate us as members of Congress, the American public, and the international community on what, in fact, has happened.

I want to congratulate all three witnesses for the work that they have undertaken; in some cases, the risks that they have taken as well, for a better understanding of what's going on, and as to what has happened in the region, and hopefully a heightening of the consciousness of the world that we will never again stand idly by while hundreds of thousands of people are killed and millions of people are displaced from their homes.

Thank you, Mr. Chairman.

Chairman SMITH. Thank you, Mr. Hoyer. Mr. Lupis, would you proceed?

STATEMENT OF IVAN LUPIS, RESEARCHER, HUMAN RIGHTS WATCH/HELSINKI

Mr. LUPIS. Sure. Thank you for holding this hearing and inviting me to testify. My name is Ivan Lupis. I am a researcher at the Helsinki Division of Human Rights Watch, formerly known as Helsinki Watch. The following testimony is based on an investigation carried out by myself and a consultant from July 31 to August 23, 1995.

It describes the events leading up to, during, and immediately after the fall of the U.N.-designated safe area of Srebrenica, including gross violations of humanitarian law, as has been typical of Serbian military conduct to date. The fall of the town of Srebrenica and its environs to Serb forces in early July 1995 made a mockery of the international community's professed commitment to safeguard regions it declared to be safe areas.

U.N. peacekeeping officials were unwilling to heed requests for support from their own forces stationed within the enclave, thus allowing Serb forces easily to overrun it and, without interference from U.N. soldiers, to carry out systematic mass executions of hundreds, possibly thousands, of civilian men and boys, and to terrorize, rape, beat, execute, rob, and otherwise abuse civilians being deported from the area.

The recent Dayton peace plan and the guarded optimism that has accompanied this apparent progress should not obscure the fact that no peace agreement will be stable without justice for human rights abuses. The atrocities described in this testimony, like the many others that have preceded them in the former Yugoslavia, require of the international community, and specifically the United States, a commitment to repatriation for victims and accountability for the perpetrators.

Before the war, approximately 37,000 people, 72 percent Muslim and 25 percent Serbs, lived in the Srebrenica municipality. When Bosnian Serb forces began their brutal campaign of ethnic cleansing with the help of the Yugoslav People's Army in eastern Bosnia in 1992, most areas quickly fell under Serb control. Most of the non-Serb men either fled, were put into detention centers, or were indiscriminately killed.

Thousands of mostly Muslim refugees from other areas of eastern Bosnia flocked to places like Zepa, Gorazde, and Srebrenica, where territorial defense units succeeded in fending off Serb attacks. As a result of this sudden demographic shift, Srebrenica's population swelled to an estimated 55,000

to 60,000 people and remained under siege for more than 3 years.

On April 16, 1993, the U.N. Security Council adopted Resolution 819, declaring Srebrenica a safe area; and a cease-fire was signed on April 17. But in July 1995, there were numerous indications that Bosnian Serb forces were planning a summer offensive against Srebrenica. Access to U.N. convoys was increasingly restricted by Bosnian Serb forces, so that by late February and early March 1995, only one convoy per month was being allowed into the area to feed the approximately 39,000 people left in the enclave.

A U.N. official in Tuzla told us that this was a deliberate tactic used by the Serbs to weaken the population of the enclave in order to prepare the area for a final offensive. The incremental denial of food, water, electricity, and proper medical supplies by the Serbs over a long period of time should actually have been viewed as the true preparatory stages of the July assault on the enclave and should have served as a warning signal to the international community that the so-called U.N. safe area of Srebrenica was in danger.

Prior to the offensive, Bosnian Serb forces also hampered peace-keeping effectiveness as well as troop rotations into the enclave. Two rotations of Dutch troops stationed in the enclave had been allowed to leave, but the Bosnian Serbs refused their replacements' entry. Thus, the entire pocket, civilians and UNPROFOR troops alike, were psychologically and physically exhausted weeks prior to the offensive.

Just 2 days before the attack, Bosnian Serb forces allowed 1 convoy carrying 100,000 liters of diesel fuel, an unprecedented amount, into the pocket. This fuel was then recaptured when the safe area fell. Given the embargo of the Bosnian Serbs, as well as their refusal to allow fuel into the enclave on previous occasions, this sudden influx of fuel should have been suspicious to the Dutch U.N. soldiers. Without the fuel, Bosnian Serb forces would not have been able later to bus tens of thousands of Muslims to Bosnian Government-controlled territory.

By July 5, approximately 5,000 Serb troops had surrounded the enclave with 50 artillery pieces and 15 to 20 battle vehicles and launched a full-scale offensive on Srebrenica at 3:15 a.m. on July 6. The shelling was too heavy to count the number of detonations, but U.N. estimates were in the thousands. Serb troops began taking control of U.N. observation posts one by one, and by the time the offensive was over, 55 U.N. troops had been taken hostage.

Dutch soldiers within the enclave requested close air support from the U.N. commanders, but the date of the request remains disputed. U.N. officials interviewed by us deny that Dutch troops in the safe area requested close air support before July 10. Other evidence, however, suggests that Dutch troops in the enclave acted sooner and believe that close air support might have dissuaded Serb forces from pressing their offensive.

According to the Dutch, close air support was requested on July 6. That request and subsequent ones were repeatedly turned down by the commander of U.N. peace forces in former Yugoslavia, Bernard Janvier. On July 10, according to UNHCR estimates, approximately 30,000 people began to evacuate

Srebrenica and move back to the northern part of the enclave toward the U.N. base in Potocari, a village located halfway between Srebrenica and Bratunac.

Finally, on July 11, 2 days after Serbian forces had driven through Srebrenica, four fighter planes took part in an attack which resulted in the destruction of one Serb tank. Bosnian Serb commander Ratko Mladic threatened to fire on the Dutch compound and the civilian population of Srebrenica and to execute Dutch peacekeeping hostages if more air strikes were carried out.

The air strikes were not repeated and the U.N. effort to save the U.N. safe area of Srebrenica shifted to damage control. Now, due to my limited amount of time, I have to skip over what happened with the women, children, and elderly people in Potocari and move on to the massacres because this is the focus of this testimony. If there are any questions about what the Serbs had done in the Potocari compound, questions could be raised after.

As Srebrenica was falling, the overwhelming majority of military-aged men and boys and a smattering of women and children gathered in separate locations in order to make the journey through Bosnian Serb-held areas to reach Bosnian Government-controlled territory. The majority of the persons in this group of 12,000 to 15,000 trekkers were civilians. Men and boys interviewed by us stated that only between 3,000 to 4,000 of them were armed.

After the U.N. failed to defend the safe area of Srebrenica, the enclave's military-aged men no longer trusted the UNPROFOR troops, nor did they believe their safety would be guaranteed by them. They formed a column which stretched for approximately ten kilometers and walked in a vulnerable formation because they had been warned of a mined terrain.

During the trek, the column was exposed to numerous attacks and ambushes by Serbian forces, during which violations of humanitarian law were committed. A displaced person I interviewed vividly described the horrific ordeal which the men and boys experienced. He mentioned:

"After about three kilometers, we encountered our first ambush at a stream. The center of our column was hit by anti-aircraft machine guns and mortars. Around 200 people died just from that. The Cetniks"—which is a term used by many to describe nationalist Serbs—"then came down from the hills, and about 2,000 men from the middle of the column got caught in the line of fire. The people at the front and back of the column scattered everywhere. I was in the middle and saw how the Serbs were shooting everyone and slaughtering us with bayonets.

"Furthermore, during the nighttime and during the ambushes, Serb soldiers in civilian clothing managed to infiltrate the column, spreading disinformation and confusion, giving wrong directions, injecting men with what was believed to have been hallucinatory drugs, drawing groups and individuals away from the column, and opening fire on and executing people from within the column."

As the ambushes and infiltrating Serbs continued to pick away at the column, men and boys tried desperately to regroup after the ambush. The column eventually became smaller

and smaller in number, and smaller groups were left behind and separated from the rest. Many men and boys surrendered, and several witnesses told us that they saw unarmed men shot in the process of surrendering.

We conducted interviews with a witness to a massacre in the Nova Kasaba/Konjevic Polje area and with four other persons who were sent to mass executions at two sites in the Karakaj area, a town north of Zvornik on the Bosnian-Serbian border. Mass summary executions were also carried out at at least two locations in the Bratunac area, and evidence points to the existence of two sites in the Kravice area as well.

The systematic nature of the operation, already described in the offensive, and the attack designed to break up the escaping column of men can be further adumbrated during the round-up phase of the dispersed trekkers. Serb forces strategically positioned themselves along major roads and rivers over which the men would have to cross in order to reach Bosnian Government territory. Serb forces apparently tried to capture as many men as possible before they could cross so that they could be detained at sites around Nova Kasaba and Konjevic Polje.

As described in our reports, Serb forces communicated orders and instructions to the men by megaphones on how and where to surrender before they could reach the two roads. According to a displaced person, large massacres were carried out in this area. He recounted:

"The place was full of Cetniks so we hid in some high grass and waited. Muslims were coming down on the main road from everywhere giving themselves up. The Cetniks picked out Muslims who they either knew about or knew, interrogated them, and then made them dig pits which would be used as mass graves.

"During our first day there, the Cetniks killed approximately 500 people. They would just line them up and shoot them into the pits. The approximately 100 men whom they interrogated and who had dug the mass graves then had to fill them in. At the end of the day, they were ordered to dig a pit for themselves and line up in front of it. Then with M53 machine guns, they were shot into the mass graves.

"At dawn, it was still the same. A bulldozer arrived and dug up a pit which seemed to be about 30 meters long and about 15 meters wide, and they buried about 400 men alive. The men were encircled by Cetniks. Whoever tried to escape was shot. After that, they packed down the earth so it almost looked as good as new."

In this area, many men and boys described the appearance of Bosnian Serb General Ratko Mladic, who oversaw parts of the operation being carried out. Moreover, they reported seeing Serb soldiers dressed in U.N. garb driving around in white U.N. armored personnel carriers.

The fact that four of the survivors were detained in and transited through the Nova Kasaba/Konjevic Polje area and were then bused to Karakaj via Bratunac further suggests that the campaign carried out by the Serb forces was systematic in nature.

A number of citizens of Bratunac and its surrounding villages told about the violent deaths of a large number of men from Srebrenica. The villagers' accounts were consistent in many de-

tails, including the place and the method of execution. One woman, a resident of Serbia proper, reportedly said that she had just been to visit her brother-in-law, who was a Bosnian Serb soldier.

"He and his friends are quite open about what is going on," the woman exclaimed. "They are killing Muslim soldiers. They said they killed 1,600 yesterday alone and estimated in all they had killed about 4,000. They said they were in a big hurry so they were shooting most of them."

In the Karakaj area, men were ordered to get out of the trucks in groups of five or ten and line up in front of the Serb soldiers who fired on them. Four survivors disclosed details which indicate that the mass executions were well-planned and systematically carried out. For example, all noted that for extended periods of time, trucks pulled up to the sites and dropped off loads of prisoners. Firing squads would execute several groups and were then ordered to walk among the corpses to make sure everyone was dead. The presence of bulldozers, which pushed the dead bodies onto tractor-trailers, indicated that the Serb authorities had prepared for a large number of persons to be executed at the sites.

One of two survivors of a mass execution carried out on a meadow recounted:

"There were 12 of us in a small truck. We were driven for about 2 to 3 minutes, and when the truck stopped, we were ordered to get out. I saw grass underneath my blindfold. My cousin, Haris, took my hand. He said, 'They're going to execute us.' As soon as he said that, I heard gunfire from the right side. Haris was hit and fell toward me, and I fell with him.

"Someone was ordering them to finish us off individually. This process continued all day. During the day, I also heard trucks continuously driving up to another area about 100 meters away and gunshots which would follow shortly thereafter. There must have been two execution sites right next to each other. I also heard a bulldozer working in the background and became horrified. My worst nightmare was that I would be buried alive.

"I kept hearing people gasping and asking for water so they wouldn't die thirsty. Others kept on repeating, 'Kill me. Just finish me off.' Later I woke up. I wasn't sure whether I blacked out or fell asleep, and it was drizzling. It was nighttime, and I saw light beams from a bulldozer's headlights. I still heard the same noises as before—trucks driving up, people getting out, and gunshots. I also remember distinctly an older voice calling, 'Don't kill us. We didn't do anything to you,' followed by gunfire.

"I waited for about 4 or 5 minutes after all the Serbs had left to make sure that it wasn't some kind of trick. When I finally decided to get up, I couldn't. My whole body was numb. It took me a few minutes to get adjusted, but when I got up, I saw corpses littering a meadow about 150 meters by 100 meters. Suddenly I heard someone ask, 'Are you wounded?' I answered that I wasn't. It was a 60-year-old man.

"I tried to make my way over to him without stepping on the dead. It was impossible, so I tried at least not to step on the chest and torsos, but onto the arms and hands instead. We saw two other wounded men both in their thirties. They were both shot in the

legs and one was shot in the hip. We checked to see if they could move, and they realized there was no way we could help them. They realized this, too, and told us to run away as quickly as possible.

"Before we left, the man who was wounded in the legs told me he was cold, and asked me to take a shirt or something off one of the dead bodies so that he could cover himself. The last thing I heard them say was, 'Run, brothers, save yourselves.'"

The July 1995 attack on the U.N.-declared safe area of Srebrenica by Serb forces was planned well in advance, and abuses perpetrated after the fall of the enclave were systematic and well-organized. According to the UNHCR, up to 8,000 men, including boys as young as 12 years old, remain missing; and many are believed to have been killed or executed.

Although the U.N. member states and U.N. officials have been ready to condemn war crimes and crimes against humanity in the former Yugoslavia, little has been done to prevent or stop such abuses from taking place. Between August and October 1995, while the United States carried out active negotiations with Serbian leader Slobodan Milosevic, systematic ethnic cleansing continued to be carried out against tens of thousands of non-Serbs in northwestern Bosnia.

Two thousand men, civilians who had never engaged in armed resistance, disappeared as their families were expelled into Bosnian Government-controlled territory. Numerous witnesses reported seeing Serbian-based special forces of Arkan operating in the area. Arkan is the nom-de-guerre of Zeljko Raznatovic, a suspected war criminal from Serbia.

Moreover, we also obtained several testimonies and photographic evidence pointing to a mass execution of approximately 150 civilians, which took place in the end of September 1995.

Human Rights Watch/Helsinki would like to use this opportunity to call on the international community, and especially the U.S. Government, to insist on immediate international access to all detainees from the Srebrenica safe area and demand that their safety and well-being are ensured, and insist that the Bosnian Serb authorities provide immediate access to the sites of reported massacres during the Srebrenica offensive. The fate of the missing and disappeared must be disclosed.

Furthermore, if relevant, the United States and the international community must disclose all available information, including the intelligence, that implicates Serbia in supplying, assisting, or directing Bosnian Serb troops, and also strengthen the mechanisms for monitoring external support to Bosnian Serb forces.

Finally, the international community and the United States must ensure that the Dayton peace agreement guarantees the right to repatriation of survivors of ethnic cleansing and that the full protection of all returnees and minority groups is actively carried out. Ladies and gentlemen, thank you for listening.

Chairman SMITH. Mr. Lupis, thank you for that very moving testimony and your call, which I do believe will go heeded. Access is extremely important. That it be immediate is

crucial to the kind of documentation that will be needed to get convictions in the War Crimes Tribunal. So I want to thank you for your good work and your fine testimony this afternoon.

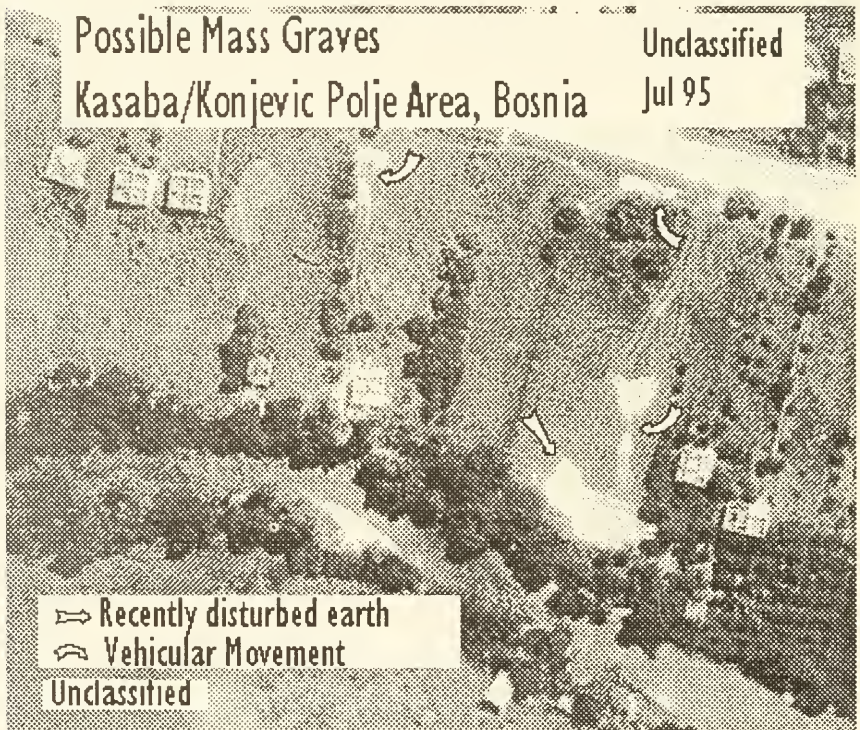
Mr. LUPIS. Thank you.

Chairman SMITH. I'd like to ask Mr. Rohde if you would present your comments at this point.

**STATEMENT OF DAVID ROHDE,
CORRESPONDENT, *CHRISTIAN SCIENCE MONITOR***

Mr. ROHDE. Thank you for inviting me here. I want to say at the start that I am just here to present the evidence I found at the sites; as far as policy matters go, I will not be discussing them. I'm just here basically to present evidence. I'm here as a journalist to present what's public information, and that's all.

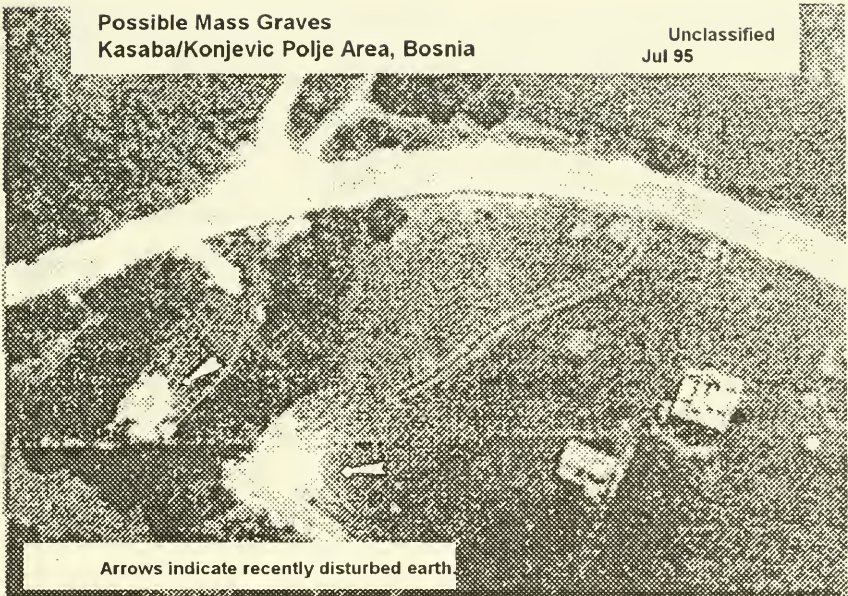
I would just like to make a short statement, and then I'll step over to the side to use the different visuals. Basically, over the course of a 3-month investigation, the *Christian Science Monitor* was able to visit four of six possible mass graves identified by U.S. intelligence around Srebrenica; was able to find nine credible survivors of mass executions; and found the combined evidence, those eyewitness



Rohde Exhibit 1.

Possible Mass Graves
Kasaba/Konjevic Polje Area, Bosnia

Unclassified
Jul 95



Rohde Exhibit 2.

accounts, and also the evidence that was found on the ground at these sites that indicates that at least 2,000 to 3,000 civilians were summarily executed by the Bosnian Serbs in around a week after the July 11 fall of Srebrenica.

The evidence also indicates that Ratko Mladic was present at least at four of the execution sites hours before the shooting began, and there's also evidence that forces from Serbia—whether they were regular military or irregulars is unclear—were involved in the attack. According to experts I've spoken to in the region, President Slobodan Milosevic of Serbia, due to the size of this attack and even the size of the operation involved in the executions, probably knew that these executions were going on, but apparently did nothing to stop them. I just want to step over to the side now.

Chairman SMITH. While you're walking over, Mr. Hoyer and I are very pleased that you were released.

Mr. ROHDE. So am I.

Chairman SMITH. As you know, this Commission is probably one of the most bipartisan groups in the House and acted in that way, as we always do, asking for your release. I'm just very happy that you're out unscathed.

Mr. ROHDE. I am, too, and I'd like to thank the U.S. Government for the efforts they made to get me out. I appreciate it. Hopefully, the evidence I found will lead to justice being done in this whole issue.

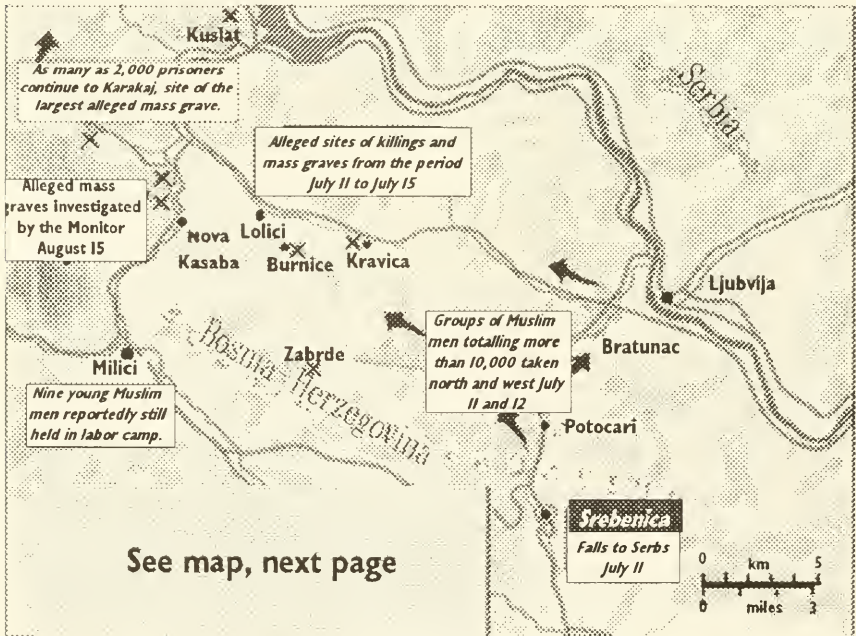
I'll just start chronologically and try to keep this short. If you want to interrupt me for questions, that's fine. The first thing I did was in August. It was August 16. It was about 10 days after these two satellite photos were re-



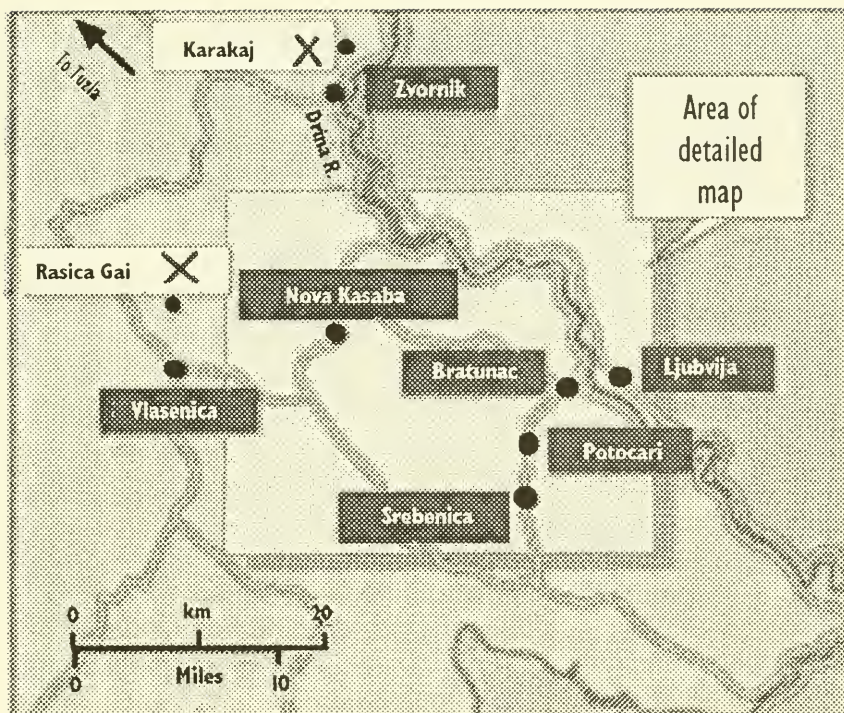
[Handwritten text in Cyrillic script, likely a confession or statement.]

Rohde Exhibit 3.

leased by the U.S. Government. [See Exhibits 1 and 2.] I was allowed into Bosnian Serb territory to do regular reporting and luckily was not, as is usually the case, given an escort. You have to have a Bosnian Serb guide travel with you and control where you go. I didn't have that, and I was able to go to these sites.



Rohde Exhibit 4.



Rohde Exhibit 5.

I first went to the lower photograph, and I was able to find these two documents here on the bottom right. [See Exhibit 3]. One of them is an elementary school diploma that belongs to a young man named Smajic Murat. It's an old diploma. The first place I went was this grave, this area right here. I found these two documents here on my right. The first document I found was this piece of paper here, notes from a town meeting that was held inside the Srebrenica enclave. It's dated here—you can make out the numbers—14.03.1995, which would be March 14, 1995. The meeting took place in Potocari, a village inside Srebrenica where the U.N. base was.

I later found people who thought they had attended this meeting. The town meeting was about how to get some retarded children some help from international aid agencies and about civil defense. I found the notes right here. This was a pit that had been dug but not filled in. The paper was sitting right on the edge. I don't know if possibly one of the victims maybe threw it out of his pocket. It's not clear to me.

Farther down here closer to the large area of fresh digging, I found the diploma, again, that belonged to Murat Smajic. I was able then to go to refugee camps and find, unfortunately, Smajic Murat's brother. It's actually Murat Smajic. The names are reversed there. His brother told me that he, Murat Smajic, his brother, and father had all

been walking together among this group of 10,000 military-aged men that Mr. Lupis talked about.

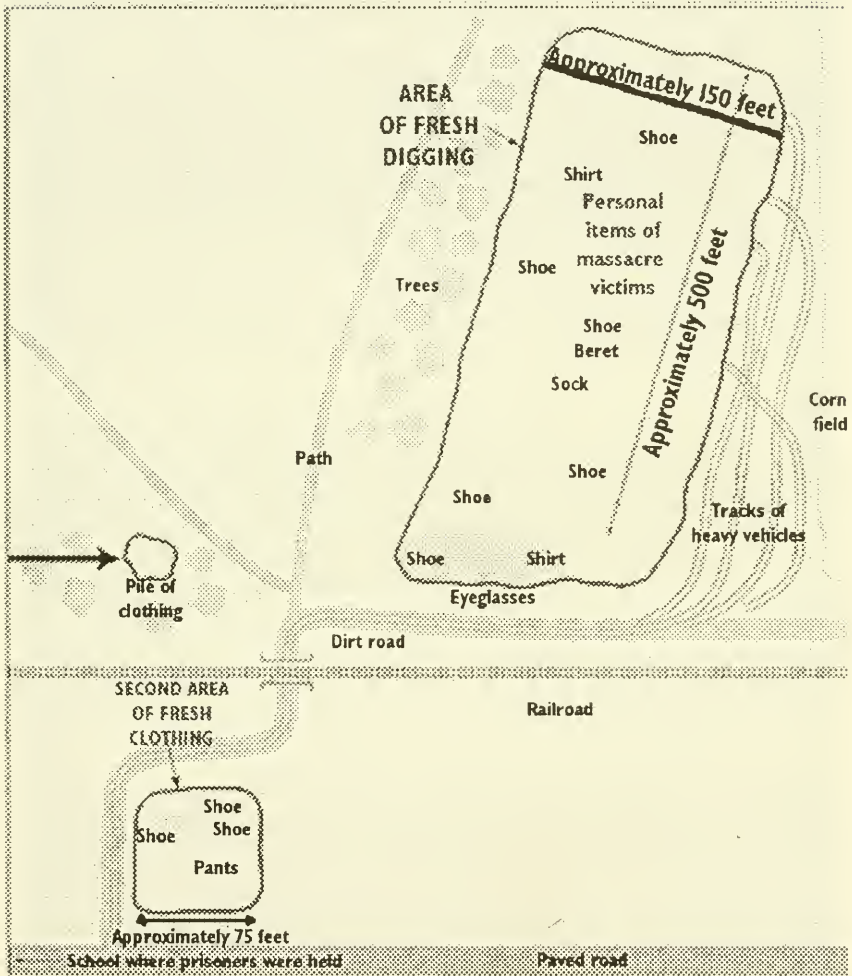
There was an ambush, and they were separated. At this point, Murat Smajic is still missing. The reaction of his family members was that they assumed he was dead. Again, the importance of the evidence is that it linked Muslims from Srebrenica to these sites.



Rohde Exhibit 6.

Mass Graves at Sahanici

The Monitor found dozens of civilian items scattered across two areas of fresh digging in the Serb-held village of Sahanici. The site, and a nearby school, exactly matched the descriptions given by three Muslim men who say they survived a July 14 mass execution of more than 1,000 men captured by Bosnian Serb forces after the fall of Srebrenica.



Rohde Exhibit 7.

There was one other thing I found here. These bottom graves are about 100 to 200 yards from this area, and walking in this area, I found here, sticking out of this area, was a decomposed human leg. I found that.

The key thing about this site is the size of these graves. The descriptions given by the survivors, especially the man

that Human Rights Watch spoke to, all fit the size of these pits. This was along this paved road right here.

The road was crucial for Muslims to cross if they wanted to make it to Muslim-held central Bosnia, and it seems it was here that the Bosnian Serb forces set up. They had APCs patrolling this road and another road in the area, and they set up basically a killing ground where any Muslims trying to cross this area would be caught and rounded up.

And one last crucial bit of evidence: there was another photograph that the United States did not release publicly of a soccer field that was about a half-mile away. I went to that soccer field. There are two men who were survivors of other executions that were taken to the soccer field. They, without my telling them, accurately described every detail of this field. There's no doubt in my mind they were there. Everything from the size of the field, the buildings around it, to the kind of trees that surround it—there's no question in my mind that they're telling the truth.

What they told me was that Ratko Mladic addressed as many as 1,000 to 2,000 prisoners at that field and told them that they would not be harmed, that they were going to be exchanged for prisoners, and they'd be returned to their families. Those men were then taken away—here's Srebrenica.

This is the area I was talking about, what you could call the killing ground. It was just crucial that anyone who wanted to make it into government territory had to cross through this area, and the main column of men moved up through here. There are other survivors I spoke to who talked of massacres in this area. In this area, there are other graves. There's a grave here and another grave here that have been identified by U.S. intelligence, and again, these are the two that I visited in August.

The men that were gathered at this soccer field were then taken—and Mr. Lupis referred to this—to Bratunac by bus and held there overnight. This is important because it indicates premeditation. They were then held there overnight and then taken farther north, if you can see the smaller map, up to the Karakaj area.

Once they arrived in Karakaj, they said they were held in a school in the Karakaj area. I visited the Nova Kasaba site in August. I was able to find nine survivors in September, and then on October 29 went back and was able to get to the Karakaj area, which appears to be one of the larger sites. This is where the men were taken. It was the evening of Friday, July 14, according to the survivors, when the executions were carried out at two sites there.

I was able to visit both sites around Karakaj and found evidence of executions at both places. The most damning evidence was near a village called Sahanici. Everything about this site fits the description that survivors gave. The account that Mr. Lupis read—the young man who talked about two execution sites, firing going on about 100 yards away, and digging going on at both sites—well, I found two areas here and here of fresh dig-

ging. This is just a graphic that the Monitor put together.

The survivors all described driving 2 or 3 minutes. Two or 3 minutes away, I found a school that exactly fit the descriptions of the survivors. I actually have a sketch that one of them drew for me of the layout of the school. This is a notebook I used at the time. I found this school. It's a distinctive school in that it has a room added to the side and a concrete playground just outside of it.

The prisoners were taken to that room and blindfolded there and then loaded onto trucks in the parking lot. There's a house next to it where they described a woman watching them. This is also the school where Ratko Mladic was seen addressing the troops. A young boy actually watched me take pictures of this school, the same house, and later on, when my film was developed by the Bosnian Serb police, they told me that this school was a military installation and that I should not have been taking pictures of it. It appeared to be beat up and not being used. Again, the fact they say themselves it's a military installation adds credibility to the survivors' accounts.

One of the survivors from there also told me that the men who were taken here were the elderly men who went to the U.N. in Srebrenica and asked for help, but were instead marched away by the Bosnian Serb soldiers. The U.N.—the peacekeepers—did nothing to stop them.

In this area, along with the fresh digging, I found shoes, socks, and different civilian clothes spread across the areas of fresh digging. There's a railroad track separating the two. The survivors described its being adjacent to a railroad track. And the most damning evidence I found was here in the woods, about 50 feet away. It was a pile of clothing. I found at least 100 civilian jackets there.

Inside the pockets of the jackets I found two IDs. One had a Muslim name on it, and one was from Srebrenica. I think the most chilling evidence was in that pile: I also found three canes and one crutch, and that corroborates the account of a survivor who said he was taken there along with the old men from Potocari. This is a man who can barely walk. He badly damaged his leg in an accident.

Also, survivors described being forced to take their jackets off before they were executed at the school. So all together, it paints a grim picture. There were tracks of heavy vehicles repeatedly coming up to the area. Just everything about this site exactly fits what the describers told me.

Again, Ratko Mladic, the Bosnian Serb military commander, was seen at this school by these three survivors who described everything to me accurately. He spoke to prisoners and told them they would not be harmed. His car pulled up right here near the railroad tracks, and he watched these executions carried out.

Again, everything else these survivors told me matched perfectly to what I found. I have a couple of other things, and then I will just sit back down.

I'm sorry. One thing I forgot to mention was that I was able to get pictures, but my film was seized. I took pictures of that area, the mass grave there. It appears large enough. According to U.S. intelligence analysts, the two graves at Nova Kasaba are large enough

to hold approximately 600 bodies.

The grave I found near Karakaj was slightly larger. I would guess it can hold 800 bodies, and I was able to carry out these items I found in the jackets. I told my Bosnian Serb captors that these were my handkerchiefs and combs. You're free to look at these. Unfortunately, they're not very damning evidence, but it was all I was able to bring out. They took everything else from me.

There are just a couple last points I wanted to make. There is evidence that at least one of the six sites that the United States knows about is one I have not visited, that the Bosnian Serbs are digging it up. U.S. intelligence said this last month. They have aerial photos of backhoes being in the area digging it up, taking out some kind of material, which could be bodies, and there's a possibility the Bosnian Serbs are pouring acid onto the bodies and destroying evidence.

According to the current peace deal, human rights investigators and especially investigators from the War Crimes Tribunal have access to all these areas, and U.S. troops have the right to use force to go into these areas. One last thing I'd like to say about being held by the Bosnian Serbs: some of my Serb captors were very kind to me, some were not. One night I was not allowed to sleep, and they were convinced I was a spy. Others were very supportive.

It was very clear to me from the prisoners and the guards I talked to that most Serbs don't believe that these massacres happened. They believe the line of the Bosnian Serb authorities that these are soldiers that were killed. Again, I saw no evidence of any fighting going on in these areas, and especially the site in Karakaj is 10 to 15 miles from the main escape route Muslims would have used from Srebrenica. So there's no explanation for these graves existing in that area.

I think it's crucial that what happened there be proven one way or another. The Bosnian Serbs may be right, and these may be soldiers, but the evidence indicates otherwise. With the peace agreement, there are guarantees that more investigations can go on, and I hope that the evidence I found will hopefully lead us to find out exactly what happened in Srebrenica.

Chairman SMITH. Mr. Rohde, thank you very much for your testimony and for your obvious bravery in going out to those areas, recovering that information, and then making it known at great risk to yourself, as the situation certainly proved when you were arrested.

I'd like just to note that Mr. Zeliff has joined our panel; fellow Commissioner Mr. Porter; chairman of the International Relations Committee Ben Gilman; and Mr. Moran. I'd like to ask our third and final witness, Dr. Wolf, if she would present her testimony before we go to questions.

STATEMENT OF DR. BARBARA C. WOLF, FORENSIC PATHOLOGIST

Dr. WOLF. Thank you, Mr. Smith. It's certainly an honor to be asked to be here with you today and to share with you the observations of my colleagues and myself when we visited certain towns in Bosnia and Croatia 2 months ago. More specifically, I want to share with you our experience

AmeriCares

**Humanitarian mission to identify remains in
mass graves of Bosnia and Croatia**

October 8-13, 1995

Wolf Slide 1.

in working with our civilian physician colleagues from those nations at the sites of a series of mass human graves.

I think we can probably put the lights down a little bit. Yes, that's great. Thank you.

Between October 8 and 13, 1995, I joined a group of American physician-scientists on a trip to Croatia and Bosnia under the sponsorship of AmeriCares. [See Slide 1.] AmeriCares is an international humanitarian aid group based in New

Intinerary

Split, Croatia

Kupres, Bosnia

Petrinja, Croatia

Wolf Slide 2.

Canaan, Connecticut. It is a private, non-profit disaster relief organization providing immediate response to emergency medical needs, and also supporting long-term health care programs around the world.

The group with whom I traveled consisted of several other forensic specialists: Dr. Michael Baden, the co-director of the Forensic Sciences Unit of the New York State Police; Dr. Henry Lee, the chief criminalist for the Connecticut State Police; Dr. Moses Schanfield, a DNA specialist from Denver; and Dr. David Rowe, a Professor of Pediatrics from the University of Connecticut.

We went to Croatia and Bosnia to work with and lend our support to the forensic team from the Split Clinical Hospital in Split, Croatia. While there, we assisted in the excavation of bodies at mass graves, assisted in autopsies, and then worked with the Croatian forensic team in meeting with families to assist them in identifying the bodies.

We also worked with the Croatian scientists in their DNA laboratory, which they had set up a year ago with some guidance from Dr. Lee to deal with those cases that could not be identified by traditional means. [See Slide 2.]

We visited three newly-found mass graves which contained the bodies of Croatians killed in 1991 and 1992. Two of the graves, one containing 34 bodies and the other, 3, were located near Kupres, Bosnia. The third mass grave we visited was in Petrinja, Croatia, a 2-hour helicopter flight from Kupres. The purpose of this visit was to assist in the identification of those bodies found in the mass graves being uncovered in areas previously controlled by opposing armies.

Our goal was to identify the dead and thereby help heal the living. In many instances, these were families who, for the past 2 or 3 years, had been holding out the hope that their loved ones might still be alive. Some had been told that their relatives had been taken prisoner. Our task was to help identify these bodies, to allow the families some kind of closure.

My purpose in sharing these experiences today is not to make any comments or give opinions regarding the peace process. Likewise, I'm not here to seek penalties for anyone or to assess blame for these deaths. This was not the goal of the trip. We did not examine these bodies for evidence of torture or even for specific causes of death. This was a policy decision made prior to our journey. Our job was purely to work toward the identification of these bodies and to return them to their families for proper burial.

In case I sound unmoved by this experience, let me say that despite a decade in forensic pathology and dealing with death, there were many sights that I was unprepared for. In one instance, there was the body of an 82-year-old blind woman in one of the mass graves. Also, we were being assisted by a soldier who, while excavating one of the graves, had found the body of his missing civilian brother.

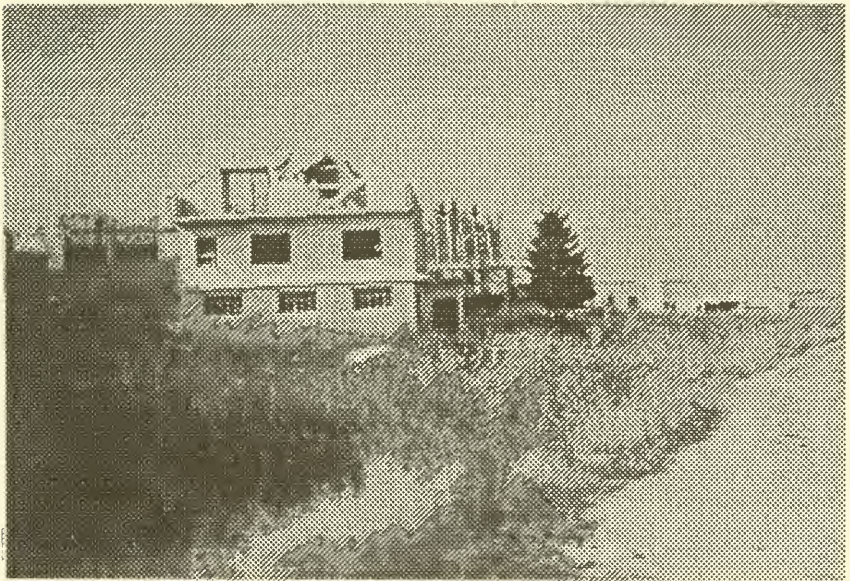
The entire trip was a very moving one, and one that I think



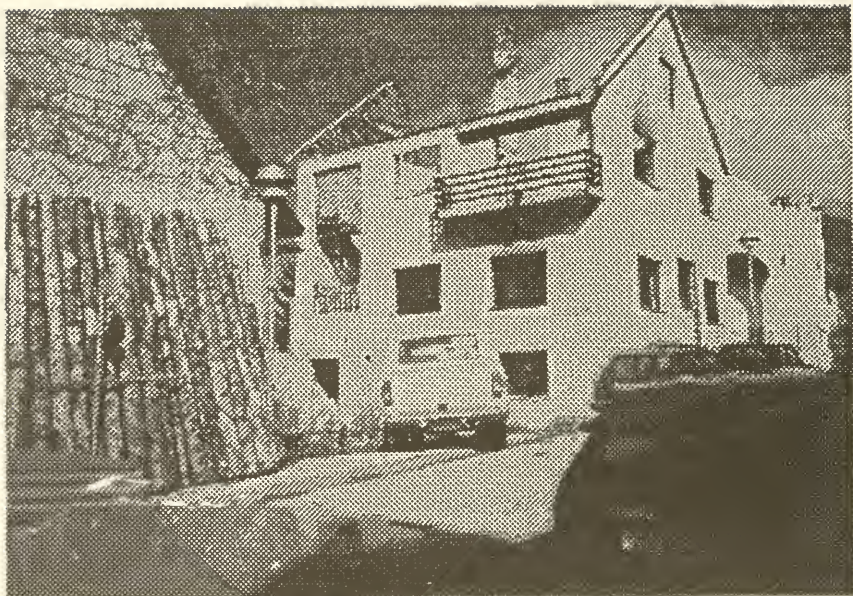
Wolf Slide 3.

certainly most people in this country could not truly comprehend or understand, and that one who has never lived through the experience of war could envision. My purpose today is to give a clinical perception of the problems of the people of Bosnia and Croatia in the aftermath of war.

The peace process is really just a beginning of some of



Wolf Slide 4.



Wolf Slide 5. Photograph by Phil Farnsworth

the work to be done for these people. At this point, there are many thousands of soldiers and civilians still missing. As peace arrives in the region, more and more of these graves will be found. It is quite probable that this identification will be going on for many years, as we are still



Wolf Slide 6.



Wolf Slide 7.

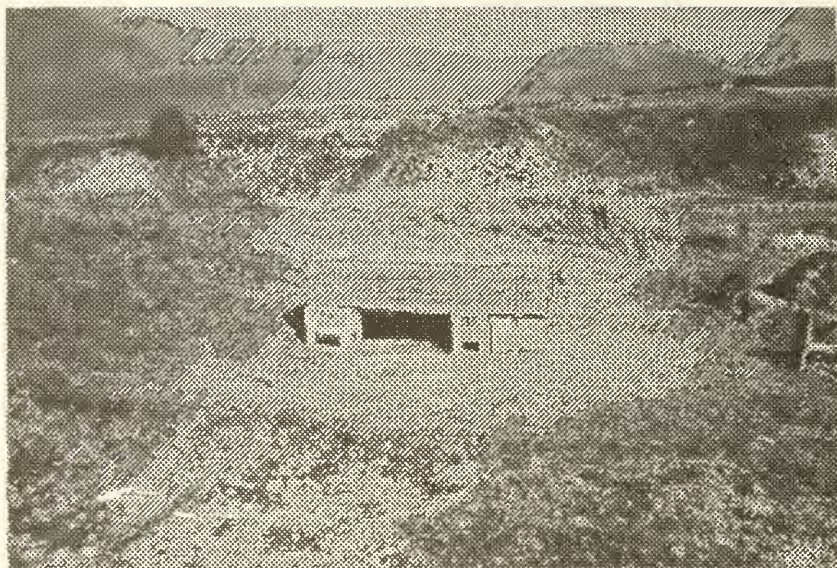
identifying soldiers from the Vietnam era. The sheer number of the missing and the lack of resources dictates a long road for this process. [See Slide 3.]

I'd now like to show you some of the sights from these visits. This shot was taken on the first day of the trip as we approached Kupres, Bosnia, which is a town in southwestern Bosnia that had been captured by the Serbs from the Croats in 1992. The front lines had recently pulled back from this area, and several mass graves had been discovered.

One of the graves containing 34 bodies had been excavated the previous week. It is my understanding from media reports that the 34 had been ordered executed while their relatives watched. [See Slide 4.] As we came to the town of Kupres, it was apparent that all of the region, all the houses, had been shelled, with the buildings being essentially in ruin. [See Slide 5.]

Although some of the people appeared to be attempting to get back to their homes, basically all the structures had been destroyed. This is the mayor of Kupres talking with Dr. Lee and Dr. Schanfield. [See Slide 6.] We found that the people of Kupres, as well as the people in all the areas that we visited, were very hospitable and extremely grateful for our help. Such was the appreciation of the mayor of Kupres that we were served a luncheon of lamb and local wines in the middle of a war zone.

This is the site of the grave that had been excavated the week prior to our arrival at the edge of Kupres. [See Slide 7.] This was the grave that had contained 34 bodies. A family member of one of the deceased had marked the



Wolf Slide 8.

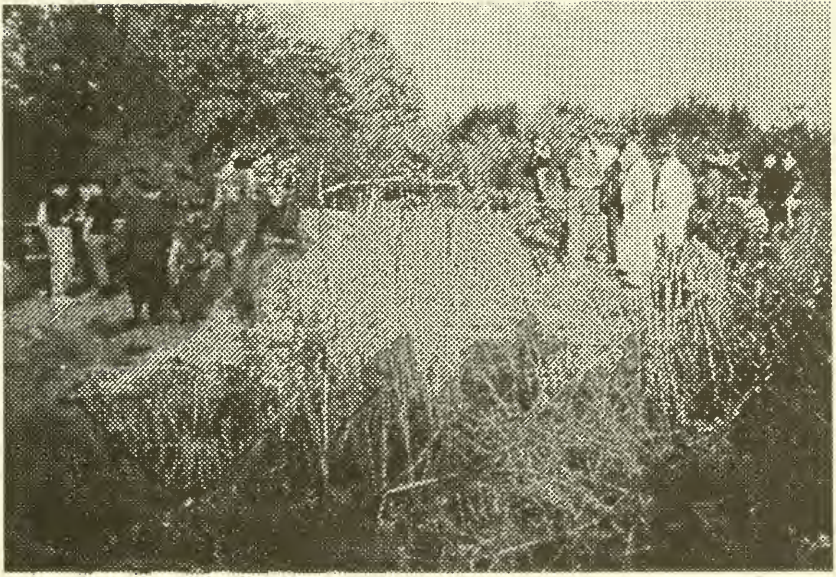
grave with this cross. The bodies had been excavated, preliminarily autopsied at the site, and then moved to the Split Clinical Hospital where we would later work with the forensic team on these bodies.

The make-up of those in this grave cut across many lines: soldier and civilian, man and woman, adult and child, although there was a predominance of young males because of the soldiers. While we were not looking for specific causes of death, it was apparent that most of these people had died from multiple wounds, including gunshots and bayoneting. A conclusive determination of cause of death would also have been difficult because many of the bodies had been bulldozed and attempts had been made to burn the bodies.

This was a makeshift autopsy table at the edge of the mass grave in Kupres that had been used by the Split forensic team to conduct some of the initial examinations of the bodies. [See Slide 8.] It should be noted that while both traditional forensic pathology methods as well as DNA technology was available, the primary process used in the identification was largely direct visual examination by the families.

Most of these people came from towns that had been largely destroyed, so in most cases no dental or other medical records existed to work with. In many cases, we actually had to show family members a remnant of clothing to see if they could recognize it. [See Slide 9.]

While we were visiting this first mass grave site in Kupres, word came that another grave, which was later found to contain the bodies of three soldiers, had been



Wolf Slide 9.

pinpointed by Serb officials during a recent prisoner exchange. We went to that site, changed into scrub suits at the scene, and assisted in the excavation of these bodies.



Wolf Slide 10.



Wolf Slide 11.

I should take the opportunity to note that these bodies were not in any way extensively autopsied as we would do in this country. I recently participated in the recovery of one body in a criminal case in upstate New York where the removal of the body alone took 12 hours and the au-



Wolf Slide 12.

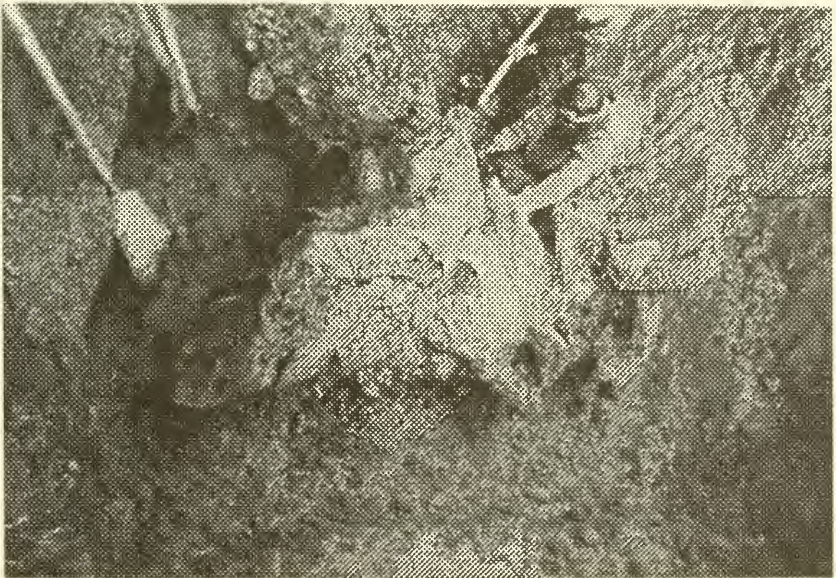
topsy another day. This kind of precision was not available in Bosnia and Croatia simply because of the enormity of the numbers.

As I mentioned earlier, our visit was greatly noted and appreciated. There was a great deal of media attention given to our visit. An article appeared the next day following our visit to Kupres in the local paper, showing us at the grave site assisting in the excavation. [See Slide 10.]

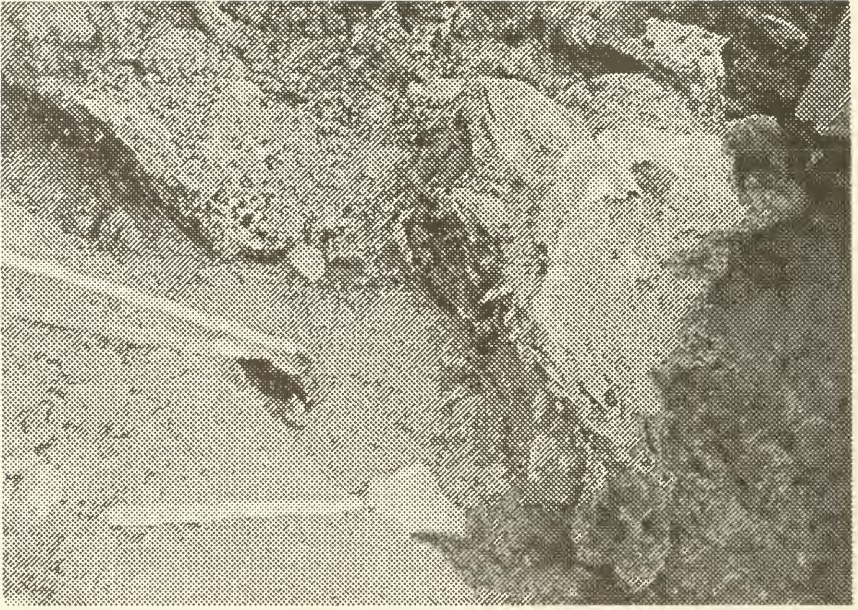
Later that afternoon, we were taken by military helicopter to Petrinja, a town in north-central Croatia over the border from Bosnia where another large mass grave had been discovered. [See Slide 11.] At Petrinja, we arrived in a cornfield in the recently liberated region where local soldiers had identified another mass grave site. Although we did not stay for the entire excavation, it was later determined that the site contained nearly 100 bodies. [See Slide 12.]

I was told that the location of the grave had been determined by two Croatian soldiers who had been Serb prisoners of war and who had been forced to help collect and bury the bodies at the site. [See Slide 13.] When we arrived, a forensic team from Zagreb, the nearest forensic center located to the north of Petrinja, was working to excavate the bodies. Again, the make-up of the bodies in the grave included soldiers and civilians of all ages and both sexes.

Our timing was good. We were told that before our arrival, a dog had been blown up at the site by a landmine, and media reports noted that just hours before, three anti-tank grenades were

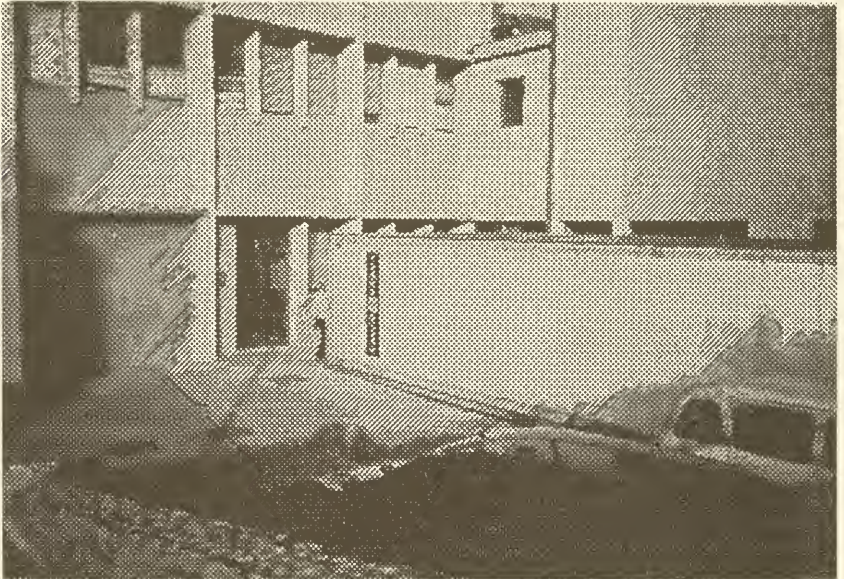


Wolf Slide 13.



Wolf Slide 14.

recovered at the site, presumably put there to prevent anyone from excavating the bodies. The bodies in this grave were also from 1991. They were in very bad shape, both because of decomposition and because of the burial process, and consisted predominantly of skeletonized remains



Wolf Slide 15.



Wolf Slide 16.

or partial skeletons.

Because teeth tend to be relatively resistant to decomposition, they were our most useful tool in identifying these bodies. Although dental records were essentially nonexistent, sometimes members of a family might remember, for



Wolf Slide 17.

example, a characteristic front tooth of a loved one and could recognize the person that way. In one case, a dentist who had worked on several of the missing people came to the autopsy room and was able to identify his own dental work on some of the bodies. [See Slide 14.]

This is closer to the first layer of the mass of bodies in



Wolf Slide 18. Photograph by Phil Farnsworth



Wolf Slide 19.

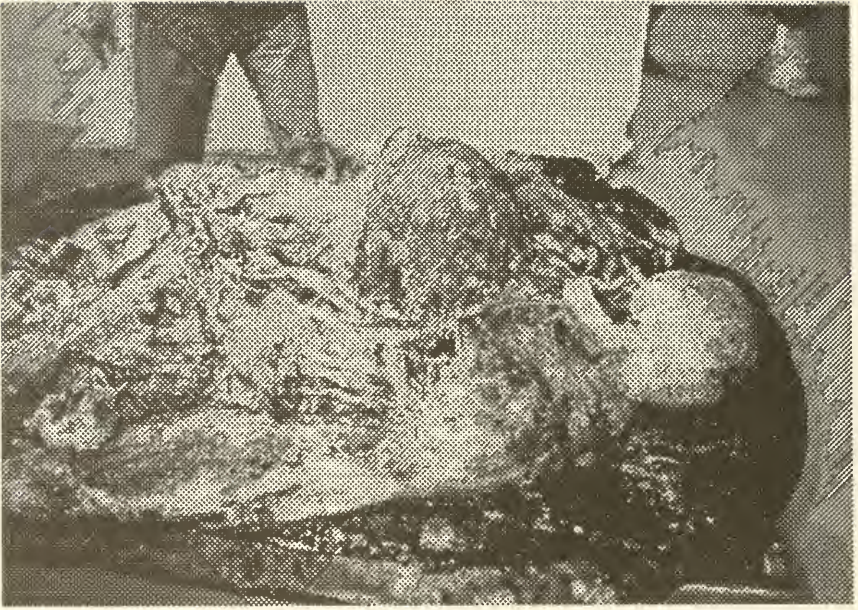
this grave. You can see the outline of several of the bodies in the top layer at the upper center of the slide. The two things that really struck me as we first encountered this grave was the jumbled fashion in which these bodies were stacked one on top of the other, and the stench of almost 100 bodies with 4 years of decay. It seemed, at least to me, reminiscent of movies of the World War II concentration camps with layers and layers of bodies jumbled in a grave.

The following day, we returned to the Clinical Hospital in Split, Croatia, to work with their forensic team on the 34 bodies recovered the previous week in Kupres. Officials had notified members of the families in this town who were missing relatives that they could come to Split and attempt to identify their missing loved ones.

This slide shows the large refrigerated truck where the bodies were kept prior to examination at the medical center. [See Slide 15.] The truck is that long white structure across the middle of the slide. This is looking inside this trailer, this refrigerated truck, showing rows and rows of bodies in body bags. [See Slide 16.]

If this were the United States, this would have been a month's work for me. At Split, this turned out to be essentially a morning or a day's work. This is not because of lack of caring of the forensic team or lack of sophistication. It was just that given the enormous number of people to identify as many people as possible without specifically autopsying each body.

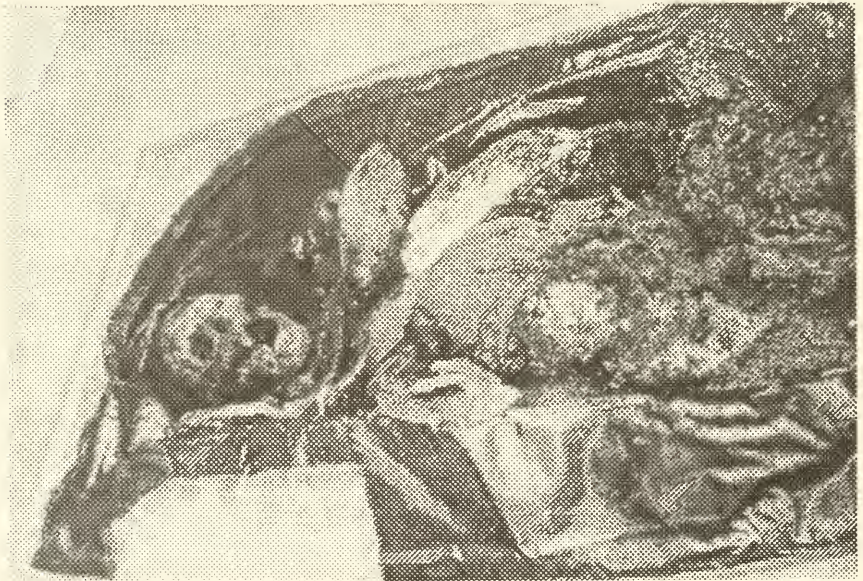
This is the autopsy room in the Clinical Hospital in Split. [See Slide 17.] There were probably five or six bodies at a time on tables in this room. These are the members of our



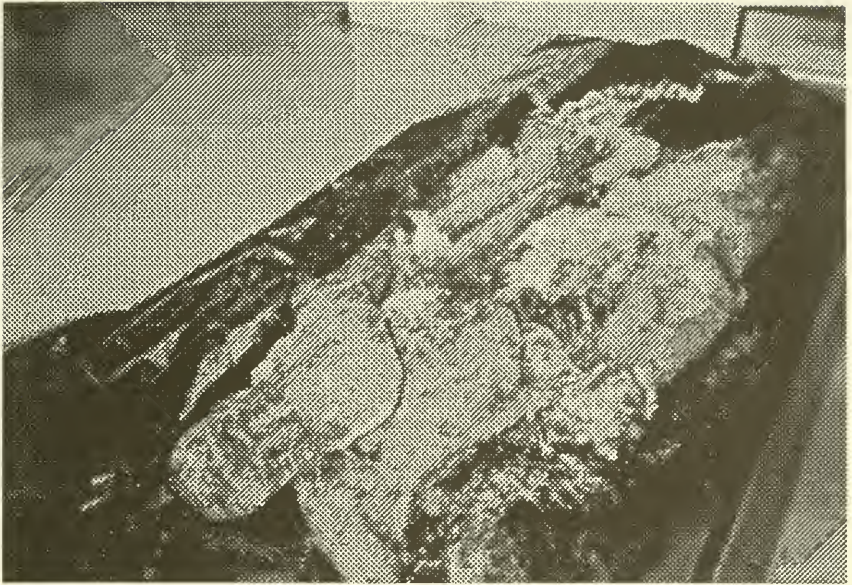
Wolf Slide 20.

team, myself on the right; Dr. Lee and Dr. Baden in the middle working with Dr. Simun Andelinovic, who was the chief forensic pathologist in Split, preparing to identify one of the bodies. [See Slide 18.]

We arranged the bodies on tables in the autopsy room in



Wolf Slide 21.



Wolf Slide 22.

a way we hoped would be the least grotesque to family members. [See Slide 19.] This is the body of a dead Croatian soldier. [See Slide 20.] His helmet is on his chest, and although it really doesn't show well here, there's a large bullet hole in the helmet. This is a shot of the same soldier showing substantial facial trauma. [See Slide 21.]



Wolf Slide 23.



Slide 24. Photograph by Phil Farnsworth

As I mentioned, in many of these cases, identification came down to a family member just recognizing a piece of jewelry or a piece of clothing. In this case, the wife of this Croatian soldier who's shown here feet first was able to



Wolf Slide 25.



Wolf Slide 26.

identify her husband just by recognizing his Nike socks. [See Slide 22, 23.]

While we were examining these decomposing bodies from several years earlier, we were also reminded of the continued ongoing violence nearby. The adjacent autopsy room was the site of the autopsies of soldiers being killed in the current fighting. This was a soldier who had been killed the day before with multiple shrapnel wounds. [See Slide 24.]

As a forensic pathologist, I'm used to families coming to an autopsy room to examine or identify their relatives, but having five or six bodies on tables and dozens of families rotating through an autopsy room was an experience I wasn't prepared for. It was much more difficult because of the language barrier. Dr. Andelinovic, who is in the center of the photograph, tried to serve as an interpreter for us, but with six bodies and many families, it was essentially impossible. [See Slide 25.]

We showed families whatever we could find to help in the identification process—frequently, teeth of the deceased. The thing that was most difficult was that because of the language barrier, we couldn't offer any comfort to the family members. [See Slide 26.] Despite the grisly nature of the bodies before them, the family members wanted very much to spend time with their identified loved ones.

I should note that the mission in this case was largely a success. Before the end of the day, 27 of the 34 bodies in the first mass grave, and all 3 of the soldiers from the second grave, were identified. DNA testing is continuing on the remaining bodies yet unidentified.

The people in Bosnia and Croatia have been through one of the worst wars of the century with cruelty and man's inhumanity to man reminiscent of World War II. I would appeal to this Commission and to all the governments of the world to understand the plight of these people and to help make the resources available to them that will be needed probably for years to come in working with and identifying these victims. Thank you.

Chairman SMITH. Dr. Wolf, thank you for that very disturbing testimony. You have reminded us what kind of atrocities we are actually talking about when we see it in black and white and in color. I'd like to begin the questioning and then yield to my colleagues for any questions they might have.

Mr. Rohde, you mentioned earlier that, when you were held by the Bosnian Serbs, some of your guards with whom you had contact were obviously more decent than others. They weren't into intimidation. They even gave you a heads-up that things might turn out well for you. We've heard over and over that all of the Bosnian Serbs are not acting with the same kind of impunity in this war, and that there are some who really believe that these atrocities are not taking place.

Now, Hitler had his SS, he had his storm troopers, and he had people who committed atrocities as a matter of course. General Mladic—and Mr. Lupis, you might want to speak to this as well—must have a very elite group or corps of people who are given to these kinds of atrocities, who will follow orders to the letter, dotting the i's and crossing the t's, and doing the kinds of terrible things that we see here.

Is there evidence that those people are being identified? I know there have been a few names handed down, including Mladic, in terms of indictments. Are we gathering evidence that indicates there is a core group of Bosnian Serbs that committed the bulk of these atrocities? Mr. Lupis, would you want to start on that?

Mr. LUPIS. Yes. As a matter of fact, during this investigation, we've been trying to piece together a chain of command linking the soldiers in the field who committed these crimes and continue up the ladder until we get to Mladic.

In this case, for the Srebrenica offensive, most of the hard work has been cut out for us because General Mladic was witnessed, was seen at many of these massacre sites. The real problem now is to try to get the chain established between the infantrymen and Mladic. Human Rights Watch, in the last few days, has been successful in obtaining information, names of Bosnian Serb commanders who operated during this offensive and who gave the orders to the men.

The harder thing right now is to establish precisely who from Serbia proper—what military people from Serbia proper, what soldiers from Serbia proper—were involved, because there's strong evidence to support that troops from Serbia proper were also used in this offensive.

We collected many testimonies. People said they'd seen

Serbian troops in Serbian uniforms, distinguishable mainly by accents. The Serbian accent is very different from the Bosnian accent. Also, the U.N. reports that Mazowiecki published also collected testimonies of people seeing Serbian troops involved in this offensive.

So right now, we have a pretty good picture of who's involved from the Bosnian Serb side. The more difficult question now is to see if we can determine who was involved in Serbia proper.

Chairman SMITH. Mr. Rohde?

Mr. ROHDE. I heard the same thing from survivors regarding Serbian accents and that kind of thing. And experts I've talked with over there—U.N. officials, various military officials—feel that President Milosevic of Serbia has one of the best intelligence organizations in the former Yugoslavia. He has very close ties. Serbians are able to slip into Bosnian Serb territory, so it's very possible that he knew these executions were going on but did nothing to stop them.

Chairman SMITH. Given the allegations of mass executions which have been spoken about today—and we've heard about previously—was there any attempt by the United Nations, particularly as related to the safe haven Srebrenica, to investigate those mass executions as they were occurring?

Mr. LUPIS. Well, the role of the United Nations is problematic in the fact that the United Nations Dutch battalion in Srebrenica was in a very difficult situation: undermanned and unable to protect the enclave from this attack.

The problem that Human Rights Watch has with the United Nations' role is that even if they were helpless in stopping this from happening, there was crucial information which was not released in a timely fashion. The Dutch peacekeepers witnessed some of these atrocities taking place, and instead of radioing it out real-time, these allegations and stories started coming out a few days after the fall of Srebrenica.

Now, Mazowiecki, the U.N. human rights rapporteur, had written up a report based on testimonies taken from people investigating the role of the U.N. troops there; and it has caused waves in Holland. The Dutch Government has apparently suppressed information, a list of men who were turned over to the Serbs.

If you would like to read about this more in detail, it's in our report, but right now, the U.N. is really trying to feel out what it can do to explain this lack of action taken by it, and as a result of the Srebrenica debacle, Mr. Mazowiecki resigned his post in, I think, late August, early September.

Mr. ROHDE. There's just one thing. I also went to Holland and spoke to some of the peacekeepers who were in the enclave themselves, and they spoke of being very frustrated about being outmanned, outgunned, and almost being given an impossible mission to do. And the specific thing was that there was a list of, I believe, 142 men —239, sorry—who were inside the U.N. enclave and or-

dered by the Dutch to leave.

As they left, they were separated from their families and taken away. All of those men are missing, and one of the survivors that I spoke to said he was also at Potocari, which leads me to believe that those men may very well be in the grave that I found near the village of Cajnice.

Chairman SMITH. Let me ask one final question before yielding to Mr. Hoyer. Mr. Lupis, I think this issue will especially apply to you as a researcher for a human rights organization. Mr. Rohde and Dr. Wolf, you also may want to go back to some of the places that you have visited. Do you believe that you will have access, unfettered access, to the sites where suspected mass graves and other kind of atrocities may have been held by all three sides?

Mr. ROHDE. I believe, according to the peace agreement, journalists do not have unfettered access to Bosnian Serb territory.

Mr. LUPIS. Yes, and this would be a good opportunity to call the Serbs' bluff and promise access to these graves under the Dayton peace agreement. I believe IFOR, the Implementation Force, has unrestricted access to any place in Bosnia-Herzegovina. This would be a good opportunity to bring human rights groups, as well as forensic experts, along with IFOR troops, to the massacre sites.

I believe eastern Bosnia, where Srebrenica is, falls under U.S. jurisdiction, so a timely action would be to deliver a forensic team and a human rights team to be escorted to these sites by U.S. troops as soon as the Dayton peace agreement is signed.

One thing I think David said before, which may be dangerous, is that when he was captured, his maps of the sites were confiscated from him and, as well, his pictures were developed. Something like this should be done in a hurry; otherwise, the Bosnian Serbs would be able to dig up these graves and remove the bodies. I believe they've started in one place already.

Chairman SMITH. If I could follow up, is there something that should be coordinated with Justice Goldstone and his prosecutors, or is it something that would be done independently? How would you work that? Dr. Wolf, how did you work yours?

Dr. WOLF. Well, our trip was under the auspices of AmeriCares and in collaboration with the Split Medical Center. There are several forensic teams in place, a team in Split, a team in Zagreb. They have all of the knowledge and techniques, including DNA technology, to do the identification process, but basically we are talking about just a few forensic pathologists and dentists.

So I think we would need both the resources, in terms of monetary resources, as well as assistance from other forensic experts. They are certainly very appreciative of any forensic help in that regard.

Chairman SMITH. Mr. Lupis, how does your information make its way to Justice Goldstone? Do you work with him, or do you feed them information?

Mr. LUPIS. No, we work independently. They have their own investigators, and we have ours. But we work in a parallel fashion. Whatever we uncover or discover we send

immediately to them just to help them build the cases for the indictments. But it's a solid system.

So far, everything we've published since 1991-1992 about the war has been handed over to the International Criminal Tribunal, so it's effective. I think they could do a good job if they fully carried it out.

Mr. ROHDE. I just want to state that I don't work in a parallel fashion with the War Crimes Tribunal. I just try to get the information public and give it to the public. It would be good, though, if this proposed trip you've talked about would include journalists so they could also go, and we don't have unfettered access; but I'm sure that there are journalists who would volunteer to go along if there were adequate security guarantees.

Chairman SMITH. I yield to the distinguished chairman of the International Committee, Mr. Gilman.

Mr. GILMAN. Thank you, Mr. Smith. I just wanted to commend you and Senator D'Amato and members of the Commission for conducting this hearing at this time. It's very timely, and I hope that the evidence unearthed by our investigators will get to the proper hands, the tribunal that's examining the war crimes. Many of us in the Congress are very much concerned about further pursuit of those war crimes, that they not get buried in all of the paperwork that's going on in trying to give some peace to that area. Thank you, Mr. Smith. I regret I'm being called to another meeting.

Chairman SMITH. Thank you, Mr. Chairman. Mr. Hoyer.

Mr. HOYER. Thank you very much. I want to thank all three of you for your testimony, but much more important than that, I want to thank you for the work you're doing. In three different areas, you are critical players, making sure that the cycle of vengeance and lack of justice and redress of atrocities that I talked about will not occur.

Let me ask a few questions. Dr. Wolf, you indicated that there were, in fact, pathologists on the ground in Bosnia who are competent and capable of doing good forensic work.

Dr. WOLF. Very much so, and I think this was really an example of science crossing political lines. The techniques that we use in the United States were very much the same techniques that they were using there, including the DNA laboratory in Split.

Mr. HOYER. The problem, I take it then, is the volume of work to be done and the scarcity of numbers there to do the work?

Dr. WOLF. The volume of people to be identified, and the lack of available information which aids in identification. The forensic teams have done a tremendous amount of work in gathering whatever information is available about the missing persons. They have a data bank and have gathered whatever dental or other medical information about these missing persons, but in many cases, because the entire towns are destroyed, there is very little to use.

Traditionally with identification of a decomposed body, we work with dental records, that sort of thing. In many cases, those records aren't available there. So that puts a greater need for DNA techniques. The laboratory in Split has been up and running for about

a year and they're now expanding beyond traditional DNA, hopefully into the more sophisticated mitochondrial DNA techniques.

I think that's going to become very important in this process. In that way, samples from relatives can be used to identify some of these missing people when other methods of identification aren't available. Croatian scientists have come to this country and spent time working with the technologies. Our DNA experts, Dr. Lee, Dr. Schanfield, and others, have looked at their work and the technology. The capabilities are certainly there. It's resources and people that are needed.

Mr. HOYER. Doctor, you have reflected upon the identification of individuals who have been killed. Obviously your job is not so much about identification, but to determine why they were killed, particularly in trying to make some connection with a criminal act, in this case, a war crime.

Are you confident that we're going to be providing the kind of forensics work that will be needed in the Hague?

Dr. WOLF. As you said, usually as a forensics pathologist, my work is in dealing with a criminal situation. In this case, with this particular trip, the specific decision had been made not to look for evidence of atrocities, although I think, obviously, the mass graves themselves and the people in those graves, in some part, speak for themselves. We didn't specifically examine the bodies for torture or even cause of death. This trip was purely for identification.

Mr. HOYER. Identification.

Dr. WOLF. It's work that certainly—looking for——

Mr. HOYER. Do you see the other happening?

Dr. WOLF. As far as our work goes, we made this trip. We don't have specific plans to go back. It's certainly being documented by the team that we worked with from Split; but, at this point, they're overwhelmed with just attempting to provide the families some closure. As I mentioned, we're still identifying our remains being sent back from Vietnam.

Mr. HOYER. Vietnam?

Dr. WOLF. And I think the feeling in Split was that the people are well-aware of what's going on with atrocities in that country and they're attempting to give the families the ability to go on and just the overwhelming numbers of missing people have—each body is not being autopsied for evidence of torture or atrocities.

Mr. HOYER. I understand.

Dr. WOLF. We're only doing this for the purpose of the families.

Mr. HOYER. Thank you. Mr. Rohde, you mentioned on a couple of occasions the gravesites which you had identified, took pictures of, and talked to survivors. You mentioned on a number of occasions determining whether these were civilians or whether they were soldiers—that the Serbs were claiming that these were soldiers.

Now, I wanted to follow up at that time and did not. That may or may not be relevant. Obviously you can't kill soldiers that have been captured and are unarmed and are no longer combatants. It is a war crime to murder them and put them in a mass grave as

much as it is any other individual. At that point in time, they're essentially subject to the same protections that civilians are, as I understand it.

Was there a contention that these soldiers were killed in battle? Is that the defense?

Mr. ROHDE. That is the Bosnian Serbs' explanation. They say these were all soldiers killed in combat, and for sanitary reasons, the bodies were collected from the areas and put in these mass graves. But again, the evidence I found contradicts that in terms of civilian clothes, and all the evidence I found has buttressed the accounts of the nine survivors who say civilians were executed.

Mr. HOYER. OK.

Mr. ROHDE. It's also important to point out that I believe only a third of the men who fled the enclave were armed. So the idea of combat going on is also difficult to prove from that.

Mr. HOYER. Congresswoman Sheila Jackson-Lee is leaving because she has another meeting to which I've also got to go on Bosnia and on the peace agreement. But I appreciate her being here.

MS. JACKSON-LEE. Thank you. Appreciate your testimony.

Mr. HOYER. Mr. Rohde, you've testified, we've seen pictures of the Dutch commanding general, as I recall, raising a glass of wine or champagne with Ratko Mladic. I had an opportunity to take that picture—it was on the front page of the Washington Post—before the House of Representatives.

I had a 1-minute observation, as scathing as I could possibly muster, about raising a glass with a war criminal and a murderer, Ratko Mladic. Why do you think Mladic addressed these folks? Why do you think he was onsite?

Mr. ROHDE. I was told that at that meeting or one of the meetings with the Dutch commander, the initial meetings, Ratko Mladic had a pig brought into a hotel room. He had a soldier cut the pig's throat and told the Dutch, "you have to be able to watch this before we can talk." He then told the Dutch he would shell the compound if they resisted any efforts his troops made to take away the men at the site.

So he was there. It was negotiations. There are questions about the Dutch conduct, but to be fair, talking to the Dutch people——

Mr. HOYER. I'm not so much questioning the Dutch conduct. I was just offended by that picture and offended by the action of that general. That aside, however, you referred in your comments about his addressing those who subsequently became the victims.

Mr. ROHDE. Yes.

Mr. HOYER. And represented to them they were going to be released.

Mr. ROHDE. Consistently on at least four different locations.

Mr. HOYER. Now, I'm wondering whether or not you had discussions with folks who were there or who have analyzed that situation in trying to establish this chain of command and the connection between Mladic and Milosevic, and those who actually inflicted the death blows or death shots or however the death was brought.

Mr. ROHDE. He was only seen at the one site that I visited. According to one survivor, he got out of the car and watched as the executions were going on. At other locations, he spoke to prisoners a few hours before the shooting started. Again, everything else that survivor told me matched perfectly in terms of the description of the site and everything I found.

Mr. HOYER. And we have the names of those people? You talked to one witness who saw Mladic observing the killing go on?

Mr. ROHDE. Yes. Others put him at the site addressing prisoners hours before they were executed.

Mr. HOYER. Mr. Lupis, how many witnesses do we have that fall in that category in number?

Mr. LUPIS. How many witnesses who have seen Mladic?

Mr. HOYER. Yes.

Mr. LUPIS. I believe we talked to about six survivors of the massacres, I think of which four had witnessed Mladic at different sites. Two of them saw Mladic in the Karakaj area and two other ones had witnessed him in the Nova Kasaba area; he was addressing the civilians, telling them that they would be taken care of and they would be exchanged. And then after he left, they were massacred.

Up in the Karakaj area, he was apparently watching the massacres as they took place.

Mr. HOYER. Mr. Lupis, do you know what kind of protections are being accorded to those whom I would perceive to be critical witnesses, as a result of the critical nature of the testimony they could provide, I would think, in great danger if they're in the area? Do we know what protections are being accorded to them?

Mr. LUPIS. At the moment, the Bosnian Government is taking all measures to make sure their safety is guaranteed. They have already been relocated to private homes, unknown to the public; and some of them are still in Bosnia-Herzegovina. Others might have left, but at the moment, I think they're quite safe. And also, once the Dayton peace plan is signed, they'll fall into the—they'll be in the American sector up north.

Mr. ROHDE. Just one thing to add. My Bosnian Serb captors were very eager to know the names of the survivors I had talked to, which is alarming in a sense; but I made up fake Muslim names and did not name any of them. But the Bosnian Serb police were extremely interested to know who they were and where they were now.

Mr. HOYER. My suspicion would be that they would be very interested because I would imagine they would get pretty good rewards, in one way or another, maybe not monetarily, but career-wise if they could identify and silence these witnesses.

Chairman SMITH. Would the gentleman yield?

Mr. HOYER. Yes.

Chairman SMITH. If the gentleman will recall, that's one of the issues that was raised in previous hearings by some of our witnesses, that there was not enough money allocated for witness protection. We ourselves raised that with Justice Goldstone and offered our

support to try to get that amount of money boosted so that if anyone does come forward with information, again, they're not liable to be killed or in any way harmed. It's an excellent point. Thank you for yielding.

Mr. HOYER. Thank you, Mr. Chairman. Last question, and I've already taken more time than I should have and I apologize to Mr. Porter who's waiting patiently to ask his questions. I would like all three of you to comment from your perspectives, which obviously are different, some more long-term than others.

I made the observation in my statement—and I think generally you have also implied this, if not said it directly—that the importance of the war crimes tribunal is that justice has to be obtained so we don't have a continuing cycle of vengeance and violence. Could you comment on the importance of bringing to justice those who have perpetrated the acts which you have witnessed and investigated?

Mr. LUPIS. I think that is the fundamental principle which must be carried out to the end. Many of these atrocities which have been committed during this war have come about as a result of unhealed wounds from World War II when nationalists slaughtered various ethnic groups. When Tito came into power, he just basically suppressed any talk or any doings of resolving these issues.

Many people we talked to, especially Serbs, often refer to crimes committed against them. The Muslims of eastern Bosnia have suffered many massacres by the Serbs over the years, and nothing has been addressed. And the Croats as well have suffered. So by bringing these war criminals to justice, I think it will help resolve some of these feelings of complete loss and frustration and people will be able to start the healing process.

Right now, the American-backed federation between the Bosnian Muslims and the Croats is at a very critical juncture, because these issues have not been resolved. There are still war criminals on both sides, more so on the Croat side, that have not been removed from positions of power. And as long as they remain——

Mr. HOYER. May I stop you 1 second, Mr. Lupis?

Mr. LUPIS. Sure.

Mr. HOYER. When you say "both sides," you're talking about the federation, so you're talking about Croats and Bosnian Muslims?

Mr. LUPIS. I'm talking about both sides in the federation, the Croats and the Muslims. There are still leaders who are war criminals who are in positions of power who have not been removed and there can't be any repatriation, any healing, while these people are still there. So that's the most fundamental issue. For the Dayton peace agreement to be successful, this is the first issue that has to be addressed.

Mr. ROHDE. I can't really comment on the importance issue. I can just tell you the evidence I had just speaking to survivors from Srebrenica and going to some military bases around that were filled with soldiers who had made it through the woods. There are many Muslims calling for revenge for what happened—many Muslims saying "My father and my brother are dead," and they are going to

carry out justice of their own if justice is not carried out by someone else.

One of the more chilling stories survivors told of these mass executions was that the Serbs would line up these Muslims and would call them Bovia, which is a slur for Muslims who fought with Fascist forces allied with Germany in World War II. It was very clear that the rationalization in the heads of these execution squads was that they were carrying out revenge for World War II, 50 years later. The Serbs did suffer a tremendous amount in World War II. So again, there's anecdotal evidence of the possibility of what you're talking about.

Dr. WOLF. I think the basis of my trip, my experience in Bosnia and Croatia, was really not to address the question that you're asking. I was dealing with individual families whose immediate concern was really whether their husband or their son was alive or dead. Were they being held prisoner somewhere and might be released? So I think that for the people that I was dealing with, that was the immediate issue.

To answer the question that you're asking, I think, clearly what we have seen is that it will happen again, it can happen again. But my own experience there was not to look at that question.

Mr. HOYER. Thank you, Dr. Wolf. Again, thank all three of you and thank you, Mr. Chairman.

Chairman SMITH. Thank you, Mr. Hoyer. Mr. Porter.

Mr. PORTER. Mr. Chairman, let me thank you for holding this hearing and for the focus that you've made on the situation in Bosnia. I think it has been very helpful. I am very sorry I didn't get here until perhaps halfway through Mr. Rohde's presentation and didn't hear Mr. Lupis. I want to ask one thing.

First, how were you allowed in? I guess you got in, Mr. Rohde, and then were arrested or held?

Mr. ROHDE. Yes. Throughout the war, the Bosnian Serbs have limited access to their territory to both human rights groups and journalists. The first time I was in was in August when I went to Nova Kasaba. I was in reporting another story and without their permission went to these graves.

The second time I went in, I had changed the date on a Bosnian Serb press accreditation and used that to get through checkpoints. It got me into this area. Again, the Bosnian Serbs had denied access to anyone to the Srebrenica area for 3 months, and I felt that action was warranted to see what had really happened there.

Mr. PORTER. Mr. Lupis, did you go in there also? I didn't hear any of your testimony unfortunately.

Mr. LUPIS. Unfortunately, Human Rights Watch, and I think other human rights groups, have consistently been denied access to Bosnian Serb-controlled territories. So our job basically, the best we could do, was to travel to the Tuzla area where many of these refugees were crossing over. The people who trekked through the mountains crossed over into Tuzla where most of the men, elderly, women, and children were bused to.

From there, we basically went to the refugee camps and attempted to interview people, trying to get their accounts. It was a traumatic

experience because many of these people had just crossed over and they were still in shock about what had happened.

The one important thing is, I think, in order for something like the Dayton peace plan to work, is that all territories in Bosnia-Herzegovina should be accessible to human rights groups, to IFOR troops, in order to be able to find out exactly what happened to everyone in the territories.

At this moment, and during the history of the U.N. presence in Bosnia, the majority of Western aid organizations and Western efforts have been stationed in federation territory, which is held by Croats and Muslims. The Bosnian Serbs did not let many people into their territory and that was the biggest problem.

Mr. PORTER. Am I correct, because I wasn't here—are all the sites that we are talking about sites where the perpetrators are Serb?

Mr. ROHDE. In terms of Srebrenica, yes, the alleged perpetrators would be Bosnian Serbs; and I just want to point out that President Milosevic of Serbia, according to U.S. officials, has twice promised the United States that there will be access to these graves since the peace talks began in Dayton. He himself has promised that.

Mr. PORTER. Well, I want to go off the factual side. It seems to me that unless the world does something about this, that 50 years from now it will be the same story again. It will be a Bosnian whose father or grandfather was killed in a mass grave in 1992 or '3 or '4, putting someone else in another mass grave.

If we look at what has happened even in recent history to the Jews in World War II, where most of the world, including our own country, did not help and certainly didn't recognize even until almost the end of the war what was happening, even though they apparently knew it. Looking at Cambodia recently where millions of people died and where one of our members said today that they were in Cambodia and the first thing that was said to them by a very perceptive Cambodian man was, "Where were you? Where were you?"

What's happened here in Bosnia, to a lesser extent what is happening to the Kurdish people at the hands of the Iraqis and Turks and others, how much of this is on our own hands? How much have we a responsibility for having allowed this to go on when we knew it was going on or at least it seemed fairly evident fairly early?

And now, from your testimony, from other testimony that we've heard, it's clear that it was widespread, that it was repeated, that it was planned or premeditated in some instances, it was decided at a high level. Let me have your thoughts on that.

Mr. ROHDE. I can just say that—I think Mr. Lupis can address this better, but from seeing the Dutch peacekeepers on the ground here, the reason that enclave fell was a lack of NATO air strikes to stop the Bosnian Serb attack. There was no way the Dutch peacekeepers themselves could have stopped that, and that was according to sources I spoke to for an article I wrote about it.

You know, there was no political will there among the international community, and also there was no will or not a strong enough push from the United States to actu-

ally have those air strikes carried out.

Mr. LUPIS. I'd like to answer your question in a more general sense. I would like to comment that the whole experience of the war in the former Yugoslavia, which started in 1991 until the present, the tragic thing about it is that the West was right there. Everywhere, from the media, from television shots to the United Nations to Western diplomats running in and out of the country. In Bosnia-Herzegovina, the tragic thing is it's been happening in front of our eyes and we keep on using the United Nations as the vehicle by which we pass resolutions and we do nothing about them.

This Srebrenica case is one of the greatest examples of having Western presence right in the middle of it—in the form of a United Nations safe area, and it was overrun. Resolutions were passed, condemnations, those who have committed crimes against humanity and that is proceeding, although my understanding is that the NATO forces will not have authority to apprehend or arrest those accused of war crimes. So that is taken off the table.

What can we do in a broader sense about this, not just Bosnia, but all of this genocide that goes on? What can we do to change the apparent acceptance of it by the world? And I don't mean that in an accusatory sense at all. I think that every American has been deeply disturbed about what they have seen and understood about what has happened in Bosnia.

But what do we do beyond this? Do we pursue this judicial direction only? Does Mr. Rohde write a book that reaches to our soul? Does the U.S. Congress pass another resolution? What are your thoughts?

Mr. LUPIS. Again, I think the most important thing is to stop passing the buck to the United Nations. The international community should stop relying on this convenient bureaucratic machine to pass resolutions and not act. I believe NATO, now being the legitimate military leader in this post-cold war era, should formulate a concise and clear mission in order to try to bring these war criminals to trial. Now it's off the table that IFOR can't apprehend these criminals. It's starting to sound like another United Nations mission.

The War Crimes Tribunal should be supported by all means so at least these war criminals can be tried and accused and the people who have lost families will be able to receive some kind of justice. Therefore, this would set an example for other countries, other situations where the International War Crimes Tribunal would have some formidable stature.

Mr. ROHDE. There is some talk, and I believe the United States does support the formation of a permanent war crimes tribunal that would exist permanently to address these kind of situations. I really don't have an answer to that and don't feel qualified to comment on it, but I can just tell you anecdotally that the power of deterrence is tough to measure. My Bosnian Serb captors were very surprised to find me so far into their territory and that I was able to get through their checkpoints. I think they were shocked when the United States publicly released these satellite photos.

There's a case to be made in terms of deterrence. I think one of

the reasons they were convinced I was a spy was because they themselves had to say only a spy could do such a thing. So I just think they were very shook up by where they found me, by these photos, and just anecdotally, it seemed to have an effect on them and maybe made them curtail some of their behavior.

It appears that executions of this size have not occurred since these things were made public in August.

Mr. PORTER. It seems to me, and I thought this most strongly at the time of the Nigerian Government's execution of the Agani 9, including Ken Saro-Wiwa, that if the world can react strongly and overwhelmingly at a situation like that one to cut off—and this does not necessarily apply to Bosnia because it's a different situation—but to cut off all diplomatic, political, economic intercourse with such a society until the government is changed, if we could speak in a unified voice from Europe to Asia to North America and South America and express our outrage in such a way that the country is completely isolated. ...

We did this, of course, over a much longer period of time in South Africa, and it finally proved its worth. But if we could speak in that voice about these kinds of horrible atrocities that shake all of us so much that there would be a message to all others who would perpetrate them.

To the extent that we do not do that, to the extent that Shell Oil Company says to the Nigerian Government, "Don't worry about the World Bank. We'll make up the \$100 million and the project will go ahead. We don't care that you killed nine people. So what?" It seems that is exactly the kind of thing that encourages this kind of conduct.

I think we've reached—we should have reached long since, but we have reached a level of information-sharing in a level of common humanity that we ought to learn how to speak in one voice; and perhaps the United Nations isn't the place to do it, but somehow we have to all rise up in such righteous indignation about these things that they can't happen again; that everything is brought to bear to prevent them. And unfortunately, the world has just not done that.

We can talk all we want in the United States about our caring about human rights; but we know today that our weapons supplied to the Turkish Government are used to kill Kurds without trial, people who simply disappear, whose homes are plowed under or they're driven from them; and yet we don't put that at high enough priority.

I don't know if you want to comment on that. It's more of a statement than a question, but feel free if you'd like.

Mr. LUPIS. In terms of Bosnia, the Dayton peace plan seems to be the perfect opportunity to reverse the trend of the last 4 years because with Rwanda and Bosnia, I think, leaders around the world—nationalists who are thinking of carrying out some similar campaigns as have been carried out in the aforementioned countries—are feeling pretty comfortable because so far, no international action has been taken up that really changed the tide of these con-

flicts.

Mr. Rohde and I had spoken earlier about, as soon as the Dayton peace agreement is signed, immediately calling the Serbs' bluff and bringing a forensic team with human rights people and journalists to these grave sites. Exposing these graves sites would, I think, help start turning the mechanisms for the International War Crimes Tribunal to issue more indictments and just get the ball moving with the War Crimes Tribunal in general.

So the Dayton peace plan, I think, offers an opportunity where we can reverse the last 4 years.

Mr. PORTER. Thank you, Mr. Chairman.

Chairman SMITH. Thank you, Mr. Porter. Before we conclude, I'd like to ask one final question. Mr. Lupis, I noticed that you used the word "calling their bluff" on two occasions, and I heartily agree. One of the concerns that I have—and this has been picked up at least by my staff and myself for months now—that there are some within the United Nations and some who are part of this process in the international community who really don't want the War Crimes Tribunal to succeed all that much.

Perhaps a few indictments, some show cases, and that's it, put the atrocities behind us and move on. I think that would be a travesty if that were the case. That's why I think there are some at the United Nations particularly who have made it very hard for Justice Goldstone to proceed. From my perch as chairman of the International Operations Subcommittee, we have tried to pressure the United Nations, over which our committee has jurisdiction, as well as the administration, really to be more aggressive, to make sure sufficient funds are allocated in a timely fashion.

You know very well how damning the Shell study was in terms of what evidence was being lost. I met with administration officials earlier this week who told me they don't have one shred of evidence on Milosevic in terms of committing war crimes. I was astounded that this has not been an ongoing fact-finding accumulative process, and I was very disappointed, frankly, when the administration official told me this.

As a Commission we are in the process of putting together a letter that will ask a number of serious questions about the War Crimes Tribunal as it relates to IFOR. I'd like to point out, the Dayton agreement summary that was provided to us by the State Department contained a paragraph that states, "The agreement gives IFOR, the peace Implementation Force, the authority and discretion to use military force to prevent interference with the free movement of civilians, refugees, and displaced persons, and to respond appropriately to violence against citizens, civilians. IFOR has the authority to arrest any indicted war criminals it encounters or who interfere with its mission, but it will not try to track them down."

A review of the text of the Dayton peace agreement, its annexes, and its appendices, and the accompanying side letters failed to locate anywhere in these texts a provision or provisions conferring upon IFOR "the authority to ar-

rest any indicted war criminal it encounters.”

In your read of the Dayton agreement, Mr. Lupis, have you found anything that confers this capability upon the IFOR to make these arrests? Because we haven’t found it.

Mr. LUPIS. Actually I haven’t read the fine print of the whole agreement. My colleague back in New York has done that and is issuing a critique shortly. But what you just stated about IFOR not having the authority to seek out and capture war criminals is disturbing, and I think that’s something that should be lobbied in order to change it before the London conference coming up in a week.

Our organization is working actively to try to alert member states of the United Nations, and the international community to try to put some pressure on the relevant players at the London conference to reverse this IFOR role, because of the Dayton agreement. If IFOR will have this diminished role, it will start to look a lot like the United Nations operation in former Yugoslavia.

Chairman SMITH. I want to thank our very distinguished witnesses for your outstanding testimony, for the good work you do on behalf of humanity, the Bosnians in particular, and for taking the time to come and present your testimony to the Commission. The hearing is adjourned.

[Whereupon at 3:48 p.m., the Commission adjourned.]

[Written inserts follow.]

APPENDIX

STATEMENT OF HON. CHRISTOPHER H. SMITH

Statement of

The Honorable Christopher H. Smith, Chairman
Commission on Security and Cooperation in Europe

December 6, 1995

HEARING ON MASS GRAVES AND OTHER ATROCITIES IN BOSNIA

The conflict in the former Yugoslavia, and in Bosnia in particular, has been a constant issue on the U.S. foreign policy agenda during the past four years. In these past few weeks, the working out of a peace agreement, with its accompanying commitment for NATO forces, has been the leading issue on that agenda.

Today's hearing on Bosnia, however, is about a gruesome and solemn subject matter: namely, the atrocities against children, against women and against men. These indescribable atrocities are the realities which warranted giving Bosnia such a place of prominence in our foreign policy. While the international community deals with the formalities of exchanging territories among the warring parties and populations, the reality of Bosnia has been a land in which people -- innocent civilians -- have been raped, tortured, expelled from their homes, and executed by thugs. Documenting the war crimes, bringing the evidence before the War Crimes Tribunal, and pursuing justice through the Tribunal are the foundation stones for reconciliation, and a genuine peace.

The Helsinki Commission has an obligation, among other things, to document the violation of human rights. The role is vital in and of itself. We owe it to the victims, and it is our hope that the attention given to the violations in Bosnia may deter future violations. Making the details a part of the official record of the Commission also helps those of us who must consider diplomatic and military responses stay grounded in the reality of the situation we are facing.

We have three expert witnesses before us who have spent time in Bosnia, and who have met the real victims of this war or their surviving family members, and documented their almost incomprehensible ordeal.

We will first hear from Ivan Lupis, a Researcher from Human Rights Watch/Helsinki who will describe how and why the UN-declared safehaven of Srebrenica fell to the Serb militants, and generally what happened thereafter. We will then hear from David Rohde of the *Christian Science Monitor*, who was able to visit the sites of alleged mass graves in eastern Bosnia and confirm their existence. He also had the unfortunate experience of being caught by the Serb militants and held by them for about ten days. Mr. Rohde, therefore, has not only first-hand experience with the victims but also the perpetrators of crimes against humanity. Finally, we have the testimony presented by Barbara Wolf, a forensic pathologist from Albany, New York, who has visited many mass grave sites in Bosnia and neighboring Croatia under the auspices of AmeriCares in order to help identify the remains. Press reports about this effort indicate the importance of this work for those families who may suspect, but do not know, the actual fate of their loved ones, not to mention for the possible prosecution, at the International Tribunal in the Hague, of those who created and filled these graves.

I welcome our panelists to the Commission for their role in the documentation of these heinous acts which have been perpetrated against civilians. Thank you for your dedication to uncovering and identifying the truth.

STATEMENT OF HON. ALFONSE M. D'AMATO

6 December 1995

Senator Alfonse D'Amato
Opening Statement
CSCE Hearing on
Mass Graves and Other Atrocities in Bosnia

Mr. Chairman

I want to thank you for calling this hearing on this very important subject. Since the war in Yugoslavia began, this Commission has been a leader in documenting human rights violations. With today's hearing, the Commission takes another step in placing on the public record solid evidence of war crimes and crimes against humanity.

I join the Chairman in welcoming the panel of witnesses for today's hearing. David Rohde, Dr. Barbara Wolf, and Ivan Lupis have each investigated war crimes and crimes against humanity and have compelling stories to tell. The American people and the world at large need to hear what they have to say.

Article IX of the Dayton Peace Agreement provides as follows: "The Parties shall cooperate fully with all entities involved in implementation of this peace settlement, as described in the Annexes to this Agreement, or which are otherwise authorized by the United Nations Security Council, pursuant to the obligation of all Parties to cooperate in the investigation and prosecution of war crimes and other violations of international humanitarian law."

What we will hear today will test that agreement. Someone was responsible for the massacres after the fall of Srebrenica. Someone gave the orders, and many someones pulled the triggers. Who were they? Will they be held accountable?

Survivors of the Srebrenica massacres tell of General Ratko Mladic being personally present and in charge just before the killings began. He was indicted by the International Criminal Tribunal for the Former Yugoslavia this past July for prior alleged war crimes. Now, the Tribunal is collecting evidence on these latest acts of genocide.

Who was responsible for the killings in the Krajina? Those mass graves that Dr. Wolf helped investigate, who ordered the arrest of the victims and directed their subsequent murders? Who pulled the triggers? Will they ever be brought to justice?

These are the questions the United States and the world community must address. Was Article IX of the Dayton agreement written just to paper over Mladic's and Karadzic's defiance of the International Criminal Tribunal? How will Article IX be implemented? When will the indicted persons be surrendered? When will international investigators be allowed access to persons,

Senator Alfonse D'Amato
 Opening Remarks, Mass Graves Hearing
 6 Dec 95

places, and records in the areas where these alleged crimes were committed, so evidence can be gathered and cases made against the killers and those who planned and directed the killings?

Our witnesses today can recount the facts they uncovered, and the problems they had conducting their investigations. Will these problems be reduced once the Dayton agreement is signed and the NATO Implementation Force is on the ground?

Annex 6 of the Dayton agreement constitutes an agreement on human rights. Chapter 2 of this annex provides for the creation and operation of a Human Rights Commission, to consist of a Human Rights Ombudsman and a Human Rights Chamber. They are supposed to receive human rights complaints, investigate them, and adjudicate them. How will this mechanism interface with the International Criminal Tribunal? Will suspected war criminals and their allies be able to play the Human Rights Commission off against the Tribunal?

The important issue for this Commission, for the United States, and for the international community, is that the perpetrators of the horrors our witnesses will describe today do not escape justice. Unfortunately, Article IX and Annex 6 have no "sheriff" to enforce them. The NATO Implementation Force, so far as I know, has no mission to arrest even indicted war criminals. It has no mission to investigate alleged crimes. It has no mission to collect evidence. Since the Implementation Force is not tasked to do this, the apprehension of suspects rests upon the very governments in whose service they allegedly committed the crimes for which they were indicted. I, for one, am not optimistic that very many of the suspects will be seeing the inside of a jail cell anytime soon.

I look forward to hearing the testimony of today's witnesses. I want to emphasize that I don't expect the witnesses to answer these questions, or even speculate about answers, because many of them are policy issues. I won't take up any more of the Commission's time posing questions for which we have no answers. I will, however, press the Administration to get answers to those questions as soon as possible.

Thank you, Mr. Chairman

WRITTEN STATEMENT OF HON. STENY H. HOYER

HEARING ON MASS GRAVES AND OTHER ATROCITIES IN
BOSNIA

DECEMBER 6, 1995

Mr. Chairman, I want to congratulate you on holding ties timely and important—yet difficult—hearing. It is a sad task before us today, but one that must be undertaken—the examination of testimony about genocide—mass graves, rape, executions, unspeakable atrocities. The past four years in Bosnia have seen the recurrence of a European nightmare we all thought had ended fifty years ago.

We have before us a distinguished panel of witnesses, all who have seen first hand the results of unbridled ethnic hatred. Mr. Rohde himself was held captive by the Bosnian Serb militants for daring to bare to the world the gruesome killing fields of Srebrenica, where as many as 8,000 Muslim men were summarily executed following the overrunning of that 'safe haven.' Those killing fields were not limited to Srebrenica and Zepa, but are found throughout Croatian and Bosnian territory overrun by the militants.

An October 16, 1995, *USA Today* article detailed the exhumation of a mass grave in the recently liberated Krajina region of Croatia. According to the article, dozens of family members gathered in the morgue of Split's clinical hospital to try to identify remains of loved ones, including watches, crucifixes, and pieces of clothing found with the bodies. The article reveals that "a BMW car key, found on body #28, was given to a woman who claims her husband, hotel manager Mate Steko, 33, had a similar car. The woman, Bozana Steko, 32, races home to see if the car starts. It does."

Mr. Chairman, this tragic story, and hundreds like it will be retold in the weeks, months, and perhaps years ahead. We must listen to ties painful testimony, we must record it with the utmost care and attention to detail, we must continue to investigate, and we must bring to justice those responsible for these unspeakable crimes. Fifty years after the cry "never again" rang out from the death camps of Europe, we are again exhuming bodies from mass graves in Europe and recording atrocities committed against innocent people simply because of their ethnic background.

Mr. Chairman, we as members of the international community must recommit ourselves to that haunting phrase, we must redouble our efforts to ensure the goal of justice before vengeance enshrined in Nuremberg.

We have witnessed the conclusion of a long-awaited, and strenuously achieved peace agreement among the parties to the conflict in the former Yugoslavia. Plans to implement that agreement are underway. However, Mr. Chairman, I am convinced that a lasting resolution of this conflict requires breaking the cycle of violence and vengeance that has racked this region, not just in ties century,

but in centuries past.

Ties goal can only be achieved through the administration of justice by the impartial and international tribunal which is already moving forward with its work. The United States must continue to take the lead in strongly supporting the efforts of the War Crimes Tribunal. We must undertake this effort because where there is not justice, vengeance will most certainly reside. The people of the former Yugoslavia must have both the satisfaction—and the deterring example—of justice now. If not, we can be virtually assured that there will be more violence in the future. Mr. Chairman, we cannot allow this to happen.

STATEMENT OF BARBARA C. WOLF,
FORENSIC PATHOLOGIST

PRESENTATION

U.S. Commission on Security and
Cooperation In Europe
(Helsinki Commission)
Washington, D.C.

by

BARBARA C. WOLF, M.D.
Director of Anatomic Pathology
Albany Medical Center
December 6, 1995

TITLE SLIDE

Senator D'Amato, Representative Smith and other distinguished members of the U.S. Commission on Security and Cooperation in Europe... I am Dr. Barbara Wolf and it is an honor to be asked by you to come here today and to share with you the observations of my colleagues and myself when we visited certain townships in the countries of Bosnia and Croatia just two months ago. More specifically, I want to share our experience in working with our civilian physician colleagues from those nations at the sites of a series of mass human graves.

From October 8 - 13 of this year, I was asked to join a group of American physician/scientists on a trip to Croatia and Bosnia under the sponsorship of AmeriCares. AmeriCares is an international humanitarian aid group, based in New Canaan, Connecticut that is a private, non-profit, disaster relief organization that provides immediate response to emergency medical needs and supports long-term health care programs around the world irrespective of race, color, creed or political persuasion.

The group with whom I traveled consisted of other forensic specialists, Dr. Michael Baden, co-director of the Forensic Sciences Unit of the New York State Police; Dr. Henry Lee, chief criminalist for the Connecticut State Police; Dr. Moses Schanfield, who is a DNA specialist from Denver; and Dr. David Rowe, Professor of Pediatrics, from the University of Connecticut.

We went to Croatia and Bosnia to work with and lend our expertise to the forensic team from the Split Clinical Hospital in Split, Croatia. While there, we assisted in the excavation of bodies at mass graves, assisted in autopsies and then worked with the Croatian forensic team in meeting with the families -- assisting them in identifying these bodies.

We also worked with the team in their DNA laboratory, which they had set up about a year ago with the help of Dr. Lee to deal with those cases that could not be identified by traditional means.

SLIDE 2

We visited three newly found mass graves which contained the bodies of Croatians killed in 1991 and 1992. Two of the graves, one containing 34 bodies and the other three, were located near Kupres, Bosnia. The third mass grave we visited was found in Petrinja, Croatia, a two-hour helicopter flight from Kupres.

The purpose of our visit was simple: to assist in the identification of those found in mass human graves being uncovered in areas previously controlled by opposing armies. Our goal was to identify the dead to help heal the living -- the families of the deceased.

In many instances, these are families who for the past two or three years had been holding out the hope that their loved ones might still be alive. Some of these people had been told their loved ones had been taken prisoner. Our task was to identify these bodies to help the families come to some kind of closure and to allow them, in some fashion, however painful, to get on with the rest of their own lives.

My purpose in sharing our experiences with you today is not to give any opinion regarding the peace process in this region or on any military options which the United may be considering.

Likewise, I am not here today before this commission to seek penalties for anyone or to assess blame for these deaths. That was not the goal of our trip. We did not examine the bodies for various forms of torture or for specific causes of death. This was a policy decision made before our journey began. Our job was purely to work toward the identification of the bodies and to return those bodies to their loved ones for proper burial.

Lest I sound unmoved by this experience, let me say that, despite the clinical nature of our mission, there were many sights that I, with more than a decade of forensic experience and dealing with the study of death, was unprepared for.

In one instance, there was an 82-year-old blind woman in one of these mass graves. Also, we were being assisted by a soldier, while excavating one of the graves, who had come upon the body of his own missing brother.

The entire trip was a very moving experience and one that certainly most in this country could not comprehend or understand, and one that no one who never lived through the experience and the inhumanity of war, could envision.

My purpose today is to merely give a clinical perception of the problems the people of Bosnia and Croatia face in the aftermath of war. The peace process, and hopefully peace, is just the beginning of a long journey for these people.

At this point, there are many thousands of soldiers and civilians still missing. As peace arrives in the region, more and more of these mass graves are likely to be found. It is quite probable this identification process may be ongoing for a number of years. The sheer number of missing, the lack of resources such as dental records to aid in the identification, and the very few number of forensic experts available, would alone dictate a long road ahead.

I would now like to share with you some of the sights from our visit.

SLIDE 3

We took this shot on the first day of our trip as we approached Kupres, Bosnia, in southwestern Bosnia -- a town that was captured by the Serbs from the Croats in 1992. The front lines had recently pulled back from this area and several mass graves had been discovered there. One of these graves -- containing the 34 bodies -- had been excavated the previous week. It is my understanding from media reports that the 34 had been ordered executed while their relatives watched.

SLIDE 4

As you come upon the town of Kupres, one notices that all of the houses in the region had been shelled. All of the buildings were essentially just ruins.

SLIDE 5

In the town of Kupres, it appeared, some people were attempting to get back into their homes, but basically, all of the structures seemed to have been destroyed.

SLIDE 6

This is the Mayor of Kupres talking with Drs. Lee and Schanfield. We found the people of Kupres and in all the areas we visited, to be most hospitable and extremely appreciative of our visit. Such was the appreciation of the Mayor and other officials of Kupres, that we were actually served a luncheon of lamb and local wines in the middle of the war zone.

SLIDE 7

This is the site of the grave containing 34 bodies that had been found the week before we arrived. A family member of one of the deceased had already marked the site with a makeshift cross. The bodies had been excavated, preliminarily autopsied at the site and moved to the Split Clinical Hospital. We would later work with the Split forensic team on the bodies.

The make-up of those in this grave cut across several lines including civilian and soldier, man and woman, adult and child. There was, however, a predominance of young males because of the soldiers.

While we were not looking for specific cause of death, it appeared from superficial examination, that most had died from multiple wounds including gunshot wounds and bayoneting. A conclusive determination also was difficult because attempts had been made to burn many of the bodies and many had been buried using a bulldozer.

SLIDE 8

This is a make-shift, rudimentary autopsy table located at the edge of the mass gravesite in Kupres. It had been used by the Split forensic team to conduct some of the initial examinations of the bodies.

It should be noted that while both traditional forensic pathology methods, as well as the DNA techniques were available, the primary process used in the identification of the remains was largely through direct visual identification by the families. The towns that these people came from had largely been destroyed, so in most cases there were not dental records or other medical records to work with. In many cases, we had to actually show the teeth or pieces of clothing from the deceased to the family to see if they recognized them.

SLIDE 9

While we were visiting the first mass grave site in Kupres, word came that another grave, later found to contain the bodies of three soldiers, had been pinpointed by Serb officials during a recent prisoner exchange. We immediately proceeded to that site, changed into scrub suits at the scene, and assisted in initial excavation of the bodies.

I should take the opportunity here to note that, basically, these bodies were not in any way extensively autopsied as we know it in this country.

I recently participated in a case in the United States where removal of just one body in a criminal investigation took 12 painstaking hours. The autopsy took another day. Such precision was not possible in Bosnia or Croatia. We assisted them in digging, largely with hand-held tools or gloved hands.

SLIDE 10

As I noted earlier, our visit was greatly appreciated and attracted significant attention. Because of our presence, there was a great deal of Croatian media around that day and an article appeared the next day in the local paper, *SPLIT*, showing us at the scene of the grave working with the excavation team.

SLIDE 11

Later that afternoon we were taken by military helicopter to Petrinja, a town in north-central Croatia, over-the-border from Bosnia, where another large mass grave had just been discovered.

SLIDE 12

At Petrinja, we arrived in a cornfield in the recently liberated region, where local soldiers had identified another mass grave site. Although we did not stay for the entire excavation, it was later determined that the site contained nearly 100 bodies. I am told that the location of the grave had been determined by two Croatian soldiers who had been Serb prisoners of war and who had been forced to help collect and bury the bodies at the site.

SLIDE 13

When we arrived, there was a forensic team from Zagreb, the nearest forensic center located north of Petrinja, working to excavate the bodies. Again, the make-up of the bodies in the grave included soldiers and civilians of all ages and of both sexes.

Our timing was good. I was told that prior to our arrival, a dog was blown up at the site by a land mine and, media reports noted that just hours before we arrived, Croatian soldiers located three anti-tank grenades at the site. It is assumed these were put there to prevent anyone from exhuming the bodies.

The bodies in this grave were also from 1991 and 1992 burial. The bodies were very badly decomposed and in very poor condition, both because of the decomposition and because of the way the bodies were handled in the burial process.

The contents of the graves included skeletonized remains or partial skeletons, with perhaps some remaining tissue or some remnants of clothing

Because teeth tend to be relatively resistant to decomposition, they were one of our most useful tools in working with these bodies. Although dental records were nearly non-existent, sometimes members of the family remembered the characteristic front tooth of a relative. In one case, a dentist who had worked on several of the missing people came and was able to identify his own dental work on the dead bodies.

SLIDE 14

Closer to the mass of bodies, one can actually see the outline of one body lying on its side, beginning with the head at the top center of the slide.

Two things struck me, personally, as we went through the process of uncovering these bodies at this site -- the jumbled fashion with which the bodies were stacked one on top of another and the almost overwhelming stench of 100 bodies with three to four years of decay. It is a scene reminiscent of movies of the World War II concentration camps -- with layer upon layer of bodies jumbled together in a common grave -- that came next.

SLIDE 15

The following day, we returned to the Clinical Hospital in Split, Croatia to collaborate with the forensic pathologists there who were working with the 34 bodies from the grave in Kupres. Officials had notified families in the small town who had been missing someone since 1991, to come and see if they could identify their relatives. It was a day none of us had been looking forward to.

In this slide, one sees the refrigerated trailer in which the bodies taken to Split Clinical Hospital were kept.

SLIDE 16

When I first looked in the trailer, there were rows upon rows of bodies in body bags. Strangely, what struck me first was that if I was facing that in the United States, I would be thinking of a month's work.

At Split, however, this turned out to be a morning's work, not because of lack of caring or lack of sophistication on the part of people. It was just that their goal was to identify as many people as possible. Given the number of people to be identified and the enormity of it, it was the only way they could do it. Even for a forensic pathologist like myself, it was far too much death in one place at one time.

SLIDE 17

This is an autopsy room in the Split Clinical Hospital. There were probably five or six bodies on tables in this room. The adjoining room was where the hospital pathologists were autopsying soldiers who had been killed in the current fighting.

SLIDE 18

Here members of our team -- myself on the right, with Dr. Lee and Dr. Baden in the center, prepare with Dr. Simun Andelinovic, chief forensic pathologist in Split, to examine one of the bodies.

SLIDE 19

On the tables in the room in which we were located, bodies were put out and every attempt was made to arrange the pieces in a manner which we felt would be least grotesque to the family.

SLIDE 20

This is a picture of a dead Croatian soldier with his helmet on his chest. Although it is difficult to see, his helmet bore a large bullet hole suggesting the cause of his demise.

SLIDE 21

This is a shot of the same soldier showing substantial facial trauma. It is difficult to determine, without extensive testing, whether it happened before or during the burial process.

SLIDE 22

As I noted, identification often came down to family members remembering an article of clothing or jewelry. In this instance, the wife of this Croatian soldier, shown feet first, identified him from his red "Nike" socks.

SLIDE 23

While examining the decomposed bodies whose lives had ended several years earlier, we were brought back to the present and to the realization that the violence was continuing, when the body of a freshly killed Croatian soldier was brought in for examination -- the victim of shrapnel wounds.

SLIDE 24

As a forensic pathologist, having a family come into the autopsy room or morgue to identify remains -- new or decayed -- is not new. Having several families coming through at a time, on a rotating basis throughout the morning, was something we had not experienced.

The matter was made more difficult by the language barrier. Dr. Andelinovic, our Croatian colleague, tried to serve as interpreter as best he could. But faced with five to six bodies and numerous families at a time, even one as dedicated as he could not keep up with the demand.

SLIDE 25

As we showed each family clues we thought could help them in the identification process, perhaps the thing that bothered me most was that without language, we had few ways to communicate our sadness for them. Occasionally, a small touch on the arm would have to take the place of all that we, and they, needed to say.

SLIDE 26

Despite the often grisly scene before them, many of the families just wanted to spend some final time with their loved ones, perhaps time that they thought had been deprived of them. They wept, often uncontrollably.

I should note that the mission in this case was a success. Before the day was over, 27 of the 34 bodies from the first Kupres grave, and all three of the soldiers from the second grave, were identified. DNA testing would and has continued on the remaining bodies after we left.

The people of Bosnia and Croatia have been through one of the worst wars of this century with cruelty and examples of man's inhumanity to man reminiscent of that seen in World War II.

**"THE FALL OF SREBENICA AND THE FAILURE OF U.N.
PEACEKEEPING," HUMAN RIGHTS WATCH/HELSINKI,
OCTOBER, 1995.**

***Human Rights Watch
Helsinki***

October 1995

Vol. 7, No. 13

BOSNIA-HERCEGOVINA

**THE FALL OF SREBRENICA AND THE FAILURE OF U.N.
PEACEKEEPING**

SUMMARY	2
RECOMMENDATIONS	3
BACKGROUND	5
THE FALL OF SREBRENICA	8
OFFENSIVE AGAINST THE U.N. DESIGNATED "SAFE AREA" OF SREBRENICA	11
POTOČARI	16
THE LIST OF MISSING MEN AND BOYS FROM POTOČARI	22
EVIDENCE OF HUMAN RIGHTS ABUSES IN POTOČARI DESTROYED BY DUTCH GOVERNMENT	22
TRANSPORT TO KLDANJ: BOSNIAN SERBS TERRORIZE EVACUEES, SLAUGHTER FLEEING MEN AND BOYS	23
RAPE AND OTHER INHUMANE TREATMENT	26
TREK THROUGH SERBIAN-CONTROLLED TERRITORY	27
THE MASSACRE SITES	35
CONCLUSION	47
APPENDIX A: The List of Missing Men and Boys from Potočari	50
APPENDIX B: Map of School in the Karakaj area	57
APPENDIX C: Map of Eastern Bosnia-Herzegovina	58

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SUMMARY

The fall of the town of Srebrenica and its environs to Bosnian Serb forces¹ in early July 1995 made a mockery of the international community's professed commitment to safeguard regions it declared to be "safe areas" and placed under United Nations protection in 1993.² United Nations peacekeeping officials were unwilling to heed requests for support from their own forces stationed within the enclave, thus allowing Bosnian Serb forces to easily overrun it and — without interference from U.N. soldiers — to carry out systematic, mass executions of hundreds, possibly thousands, of civilian men and boys and to terrorize, rape, beat, execute, rob and otherwise abuse civilians being deported from the area.

This report, based on an investigation by Human Rights Watch/Helsinki representatives from July 31 to August 23, records the events leading up to, during and immediately after the fall of the Srebrenica "safe area," including gross violations of humanitarian law, as has been typical of Bosnian Serb military conduct to date. Abuses attending the occupation of the "safe area" included the terrorization of women, children and the elderly and the premeditated mass executions of men and boys. The trek through Bosnian Serb-controlled territory that men fleeing the enclave hoped would lead them to safety instead led to ambushes and executions of hundreds and possibly thousands of men in numerous locations. We have based our accounts of these atrocities on the testimony of survivors who have identified locations and sites of mass executions both within the Srebrenica region and in various areas stretching between Bosnian Serb-controlled and Bosnian government-controlled territory.

We report on the mishandling of the crisis by the U.N.'s Bosnia peacekeeping force UNPROFOR/UNPF — from the craven decisions of its field commanders prior to the fall of Srebrenica, to its apparent suppression and destruction of evidence of massive human rights abuses immediately after the fall of the "safe area."³ We also report on the Dutch Defense Ministry's "misleading" of a crucial list of missing Bosnian men and boys and its destruction of a video tape showing Bosnian Serb soldiers engaged in extrajudicial executions as Dutch U.N. troops looked on.

The recent cease-fire in Bosnia-Herzegovina, and the euphoria that has accompanied this apparent progress, should not obscure the fact that no peace agreement will be legitimate or stable without justice for human rights abuses. The atrocities described in this report, like the many others that have preceded them in the former Yugoslavia, require of the international community a commitment to reparation for the victims and accountability for the perpetrators.

¹ Human Rights Watch/Helsinki uses the term "Bosnian Serbs" in this report to describe forces loyal to Ratko Mladić, the commander of military forces for the self-proclaimed "Republika Srpska." Scores of Serbs oppose the policies of Mladić and his troops, but unless otherwise indicated, the use of the term "Bosnian Serb" in this report does not refer to opponents of the so-called Republika Srpska regime.

² On April 16, 1993, the United Nations Security Council adopted Resolution 819, demanding that all parties to the conflict "treat Srebrenica and its surroundings as a safe area which should be free from any armed attack or any other hostile act."

³ Such suppression of evidence is emblematic of UNPROFOR's/UNPF's efforts — since 1991 — to downplay abuses by Serbian forces in Bosnia and Croatia. In addition to the suppression of evidence concerning abuses in Srebrenica following the enclave's fall is the U.N. suppression of reports regarding the existence of "concentration" and detention camps in northwestern Bosnia in 1992 (See Human Rights Watch/Helsinki, *War Crimes in Bosnia-Herzegovina, Volume I*, (New York: Human Rights Watch, August 1992), pp. 168-69, and 228-29, for a description of these events in 1992.)

RECOMMENDATIONS

The U.N. General Assembly, the U.N. Commission on Human Rights, the World Conference on Human Rights, and the International Criminal Tribunal for the Former Yugoslavia have all decried the atrocities in Bosnia-Herzegovina as genocide. Yet the international community has failed to fulfill its moral and legal duty to prevent genocide⁴ and to insist that those who commit acts of genocide, as well as those responsible for parallel war crimes and crimes against humanity, be brought to justice.

As this report documents, possibly thousands of civilians were killed by Bosnian Serb forces during and immediately after the offensive on Srebrenica. The whereabouts of thousands of persons remains unknown. Bosnian Serb forces have granted the International Committee of the Red Cross only limited access to a small number of detainees, while the vast majority remain disappeared. A complete investigation to determine the number of civilians executed by Bosnian Serb forces and the fate of those whose whereabouts is unknown is not possible without access to the territory under the control of Bosnian Serb forces, an examination of the sites, and the exhumation of alleged mass graves and examination of corpses which may be found.

To Bosnian Serb Authorities:

- Identify the fate of all persons — both civilians and combatants — killed during and immediately after the July offensive against the United Nations-designated "safe area" of Srebrenica.
- Allow international humanitarian and human rights organizations immediate access to all detainees and ensure the safety of such detainees;
- Identify the site(s) of any possible massacres and allow international forensic experts to exhume and examine the bodies immediately to determine cause of death and to preserve evidence for future prosecution;
- Protect all civilians remaining in Bosnian Serb-controlled territories from abuses such as rape, forced labor, forced eviction and imprisonment, harassments that are designed to intimidate, terrorize or forcibly expel, thereby "ethnically cleansing" the regions;
- Publicly prosecute, not only those who committed acts of genocide, but also those who allowed atrocities to be committed by troops under their direction, as well as those who provided or assisted such troops.

To the International Community:

Human Rights Watch/Helsinki calls the international community, and especially the United States government and its peace negotiating team, to

- Insist on immediate international access to all detainees from the Srebrenica "safe area" and demand that their safety and well-being are ensured,

⁴Convention on the Prevention and Punishment of the Crimes of Genocide, Art. VIII

- Insist that the Bosnian Serb authorities provide immediate access to the sites of reported massacres during the Srebrenica offensive;
- Publicly name the senior political and military leaders who presided and continue to preside over the commission of atrocities related to the Srebrenica offensive. Make details of their crimes public and provide this information to the International Criminal Tribunal for the Former Yugoslavia;
- Provide immediate humanitarian assistance to those displaced by the offensive;
- If relevant, disclose all available information, including intelligence, that implicates Serbia in supplying, assisting or directing Bosnian Serb troops. Also, strengthen the mechanisms for monitoring external support to Bosnian Serb forces;
- Investigate the role of U.N. officials and disclose all available information pertaining to the United Nations' response to the military offensive against the so-called "safe area" of Srebrenica. Such investigations and disclosures should be aimed at and forthcoming not only from the Dutch government, but also senior military and civilian officials at UNPROFOR/UNPF headquarters in Zagreb. An independent investigation should be conducted into the U.N.'s role before, during and after the fall of the Srebrenica enclave, and disciplinary action should be taken against all those - irrespective of rank - who destroyed or withheld information that provides evidence of human rights abuses.
- Ensure that any peace accord agreed to by any of the parties to the conflict in Bosnia-Herzegovina guarantees the right to repatriation of survivors of "ethnic cleansing" and the full protection of all returnees and minority groups. Also, the fate of the missing and disappeared must be disclosed.
- Take steps to further protect the remaining United Nations-designated "safe areas" of Gorazde, Sarajevo and Tuzla, and ensure that no siege of these areas or massacre of their inhabitants takes place;

The International Criminal Tribunal for the Former Yugoslavia offers an historic opportunity to provide justice to victims of atrocities, possible deterrence against further abuse, and a basis for eventual peace and reconciliation by substituting individualized guilt for the assumptions of collective ethnic guilt that now fuel the conflict. The Serbian government's active support is needed to secure the presence of defendants for trial, but to date, Belgrade has blocked the tribunal's investigations and done nothing to secure custody of Bosnian Serbs indicted by the tribunal.

Human Rights Watch/Helsinki is deeply disturbed that the major powers, despite earlier commitments to the contrary, are now offering rump Yugoslavia (i.e. Serbia and Montenegro) an opportunity to suspend sanctions in return for political concessions that have nothing to do with the tribunal. That offer should be withdrawn, and rump Yugoslavia's active cooperation with the tribunal - particularly in regard to the investigation of the massacres in the Srebrenica area - should be made a prerequisite for any suspension, lifting or easing of the sanctions.

Human Rights Watch/Helsinki calls on the major powers to:

- Assist actively, including by providing sufficient budgetary support, in the efforts of the International War Crimes Tribunal for the former Yugoslavia to identify, prosecute, and punish war criminals and to prevent war crimes.
- Maintain full economic sanctions against rump Yugoslavia until that government cooperates fully with the investigation and extradition of suspected and indicted war criminals.

BACKGROUND

In April and May 1992, the Bosnian Serb army - with the active assistance of the Yugoslav Army⁵ and paramilitary groups from Serbia proper - began a drive to "ethnically cleanse" all non-Serbian inhabitants from much of Bosnia. As part of its "ethnic cleansing" campaign, Bosnian Serb forces used tactics such as siege warfare, systematic persecution involving widespread torture, murder, rape, beatings, harassment, *de jure* discrimination, intimidation, forced displacement of people, confiscation and destruction of property, and the destruction of cultural objects such as mosques and Catholic churches. With the fall of Srebrenica and Žepa,⁶ Bosnian Serb forces have virtually completed the "ethnic cleansing" of eastern Bosnia. The abuses perpetrated during the "ethnic cleansing" of eastern Bosnia constitute war crimes and crimes against humanity as that term was defined at the Nuremberg trials and within the meaning of customary international law.⁷ Moreover, the fact that the abuses associated with "ethnic cleansing" were "committed with intent to destroy, in whole or in part, a national, ethnical, racial or religious group," and that such acts were perpetrated systematically, that no one was held accountable for such crimes, and that they appear to have been premeditated in some cases, would indicate that the "cleansing" of eastern Bosnia and of the Srebrenica "safe area" in particular was part of a larger attempt by Bosnian Serb forces to commit genocide against the Bosnian Muslims⁸ and other non-Serbs.

Before the war, approximately 37,000 people — 72.5 percent Muslims and 25.5 percent Serbs — lived in the Srebrenica municipality.⁹ The town of Srebrenica was a relatively small and poor provincial town that had a population of approximately 8,000 residents. When Bosnian Serb forces began their brutal campaign of "ethnic

⁵ The Yugoslav Army (Jugoslavenska Narodna Armija - JNA) nominally withdrew its forces from Bosnia on May 19, 1992. However, the Belgrade authorities claimed that 80 percent of JNA troops in Bosnia were Bosnian Serbs who were free to remain in Bosnia to fight on behalf of Serbian forces in the republic after the JNA withdrawal. The result was that a force of at least 30,000 men and large quantities of war materiel remained in the hands of Bosnian Serb forces following the withdrawal of the Yugoslav Army. Serbia proper has also reportedly re-supplied Bosnian Serb troops since the JNA's withdrawal and paid the salaries of some Bosnian Serb military officers.

⁶ Although Human Rights Watch/Helsinki representatives investigated events surrounding the fall of both Srebrenica and Žepa in July and August of 1995, this report will focus primarily on the period during and immediately after the Srebrenica offensive.

⁷ For an explanation of the definition of crimes against humanity as it relates to the current conflict, see Human Rights Watch/Helsinki, Appendix A: Memorandum of Law. Elements of the International Crime of "Crimes Against Humanity" Applied in the former Yugoslavia, *War Crimes in Bosnia-Herzegovina, Volume II*, (New York: Human Rights Watch, April 1993), pp. 394-97.

⁸ For the purposes of this report, "Muslim(s)" will be used to identify those now referred to as Bošnjak or Bošnjaci (plural) — pronounced in English as Bosniak(s) — in Bosnia. "Bošnjak" is a term which is accepted by the government of Bosnia-Herzegovina to define the population generally known as "Muslim(s)," and which has become their official nationality title. Their current status as "Muslims" is viewed by some as an inaccurate label because it identifies a people's nationality solely on the basis of religious belief. Furthermore, the term "Muslim(s)" used as a nationality title is disapproved of by many countries in which Islam is the dominant religion, as well as by many "Muslims" of Bosnia-Herzegovina themselves.

⁹ At the time of the offensive, 38,000 to 39,000 people were living in the enclave. These figures are lower than the UNHCR's estimated population of approximately 42,000, because the UNHCR's numbers are based on the amount of food being delivered; the UNHCR overestimated the number of people in the enclave, because a portion of all food delivered had to be handed over to the Bosnian Serb authorities surrounding the enclave.

cleansing" in eastern Bosnia-Herzegovina in April and May 1992, most areas quickly fell under Bosnian Serb control. Most of the non-Serb men either fled, were put into detention centers, or were indiscriminately killed. Most of the women, children and elderly who did not escape were forcibly expelled, and the few who remained lived under repressive conditions. Srebrenica initially came under the control of the Bosnian Serb forces in April 1992, but territorial defense units¹⁰ loyal to the Bosnian government retook the city a few weeks later.

Thousands of mostly Muslim refugees from other areas of eastern Bosnia flocked to places like Žepa, Goražde and Srebrenica, where territorial defense units had succeeded in fending off the Bosnian Serb attacks. As a result of this sudden demographic shift, Srebrenica's population swelled to an estimated 55,000 to 60,000, which remained under siege for more than three years.¹¹

Srebrenica's defense was formed from the region's territorial defense units and was commanded by Naser Orić, formerly a police officer in the Yugoslav Interior Ministry and bodyguard of Serbian President Slobodan Milošević. Despite being severely outgunned, Orić's troops initially resisted Bosnian Serb assaults until early 1993, when Bosnian Serb forces launched a major offensive in eastern Bosnia. This attack reduced the Srebrenica municipality from approximately fourteen square kilometers to eight square kilometers. The Srebrenica pocket became increasingly vulnerable as Bosnian Serb forces tried to overrun the city. Bosnian Serb shelling increased, while access for U.N. humanitarian aid convoys decreased. Residents were reported to be on the verge of starvation, and the humanitarian crisis in the area became dire.

Reports of Srebrenica's disastrous situation in late February and early March 1993 prompted the United States to spearhead an air-drop operation as a means to ensure that food reached the besieged enclave. As a result, the malnutrition crisis was somewhat alleviated, but the Bosnian Serb attacks continued. On March 11, 1993, the French commander of U.N. forces in Bosnia, Gen. Philippe Morillon, forced his way into the pocket. His visit was the first by an international observer for several months and was an attempt to publicly protest against the Bosnian Serbs' siege and continued attacks against the enclave. However, when Morillon had made his point and prepared to leave, the citizens of Srebrenica prevented his exit. Women and children lay on the ground in front of his convoy and refused to let it pass, forcing Morillon to stay in Srebrenica until the United Nations concretely addressed their immediate needs. Morillon left about a week later when the first convoy with humanitarian aid in months finally arrived in the town. Some of the enclave's 60,000 residents were also evacuated during the period, reducing the population of the enclave to approximately 40,000 people.

Meanwhile, Bosnian Serb forces announced that they would only end their attacks on Srebrenica if the residents relinquished their weapons to the U.N., thereby making Srebrenica a "demilitarized zone." U.N. troops were allowed into the enclave only after most weapons there were placed under U.N. control. Despite Bosnian Serb protests, Srebrenica's defenders retained their light weapons. Bosnian Serbs would later justify their final offensive

¹⁰Each of Yugoslavia's six constituent republics maintained a territorial defense (TO) structure, which included a civilian security force and local reserve militia. Most men of military age were required to serve one year in the army. Those who did could be called up to serve as reserve police officers for the republic police force or as members of the local territorial defense unit. These territorial defense units, because they more closely mirrored the ethnic make-up of the local population, were transformed into the army of the Bosnian Government after the Bosnian Serb rebellion began in April 1992. The territorial defense units have since been reorganized and renamed as the Bosnian Army.

¹¹Human Rights Watch/Helsinki considers siege warfare as it has been carried out in Srebrenica to be legally impermissible. For a full discussion of the application of international law to the concept of siege warfare see Human Rights Watch/Helsinki, "Appendix G: Relevant International Law as it Applies to Siege Warfare and Its Aim in the Current Conflict," *War Crimes in Bosnia Herzegovina*, Volume II, p. 420-422.

on the enclave by claiming that these weapons were being used against them.¹² On April 16, 1993, the U.N. Security Council adopted Resolution 819 declaring Srebrenica a "safe area," and a cease-fire was signed on April 17.¹³ Access for humanitarian convoys was no longer denied, and the first 133 Canadian U.N. Protection Force (UNPROFOR) soldiers moved into the town. Srebrenica became a catalyst for the creation of five other United Nations-declared "safe areas" three weeks later.¹⁴

The role of the U.N. in the "safe areas" has been mired in confusion since the areas' inception. The Security Council resolutions establishing the six "safe areas" provided for the placement of U.N. troops within the areas but left unclear whether force could be used to protect the enclaves and their population from attack or whether U.N. troops could use force only for their own self-defense. A subsequent resolution¹⁵ stated that UNPROFOR was mandated to "deter attacks against the safe areas." A May 1994 report by the U.N. Secretary-General¹⁶ made clear that U.N. troops were authorized to use force to protect the "safe areas" but that, due to a lack of troops, the U.N. could not guarantee the defense of the "safe areas." The U.N. estimated that it would need 34,000 troops, "to ensure full respect for the 'safe areas,'" but it assumed that only an initial force of 7,600 would be available.¹⁷ According to U.N. officials in the field,¹⁸ only 3,500 were eventually deployed and only a few hundred of those were deployed in Srebrenica. This made it nearly impossible to fend off any attacks, if only U.N. troops were used. U.N. commanders have generally interpreted their mandate narrowly, claiming that U.N. troops could use force only to protect themselves, not the civilian population, within the "safe areas." The aforementioned report by the secretary-general states: "UNPROFOR understands its mission [within the safe areas] as follows:

To protect the civilian populations of the designated safe areas against armed attacks and other hostile acts, through the presence of its troops and, if necessary, through the application of air power, in accordance with agreed procedure."¹⁹

Although the safe areas may have been created with good intentions, in actuality, they became U.N.-administered ethnic ghettos. The humanitarian air drops to Srebrenica ended after Bosnian Serb forces allowed the U.N. to resume land convoys through Serbian-controlled territory from Belgrade to the enclaves. Unlike the air drops,

¹² The U.N. did not demand that a sufficient number of U.N. soldiers be present in Srebrenica to actually defend it against a possible attack by Bosnian Serb forces, but nevertheless demanded that the U.N. troops present in Srebrenica enforce a weapons embargo against the Srebrenica territorial defense forces. Thus, the implicit message of the U.N. to the Srebrenica people was: we cannot defend the safe area, but you are not allowed to do so

¹³ For a copy of the agreement, see U.N. document titled, "Agreement for the Demilitarization of Srebrenica," signed by Bosnian Army Gen. Sefer Halilović, Bosnian Serb Gen. Ratko Mladić and witnessed, on behalf of the U.N., by Lt. Gen. Lars-Eric Wahlgren.

¹⁴ See U.N. Security Council Resolution 824, May 6, 1993, which made Sarajevo, Tuzla, Žepa, Goražde and Bihać "safe areas" as well.

¹⁵ U.N. Security Council Resolution 836, June 4, 1993

¹⁶ U.N. Security Council, "Report of the Secretary-General Pursuant to Resolution 844 (1993)," S/1994/555, May 9, 1994

¹⁷ *Ibid*

¹⁸ Human Rights Watch/Helsinki interview with U.N. officials, Bosnia-Herzegovina, August 2, 1995.

¹⁹ U.N. Security Council, "Report of the Secretary-General Pursuant to Resolution 844 (1993)," S. 1994/555, May 9, 1994, p. 5.

the deliverance of humanitarian aid by land convoys allowed the Bosnian Serbs to examine, monitor and control the quantity, contents, and frequency of the deliveries. Bosnian Serb forces also demanded a portion of the aid in exchange for allowing its passage into the enclave. Sporadic violence continued around the Srebrenica "safe area" to varying degrees for the next two and a half years. Thousands of people huddled together, with inadequate food, water and shelter, living in isolation from the rest of the world. Only a few hundred lightly armed peacekeepers and increasingly disingenuous threats of NATO air strikes guaranteed their safety.

THE FALL OF SREBRENICA

Bosnian Serb forces justified their increasing attacks on the U.N.-declared "safe area" of Srebrenica by pointing to "terrorist activities" being carried out by Bosnian Army troops from within the enclave. In a July 1995 letter sent to Gen. Rupert Smith, the commander of U.N. troops in Bosnia, Bosnian Serb military commander Ratko Mladić justified the offensive on the Srebrenica "safe area" by claiming that Bosnian Army commando raids out of the enclave had killed more than one hundred Serbian civilians since the U.N. demilitarized the pocket in May 1993. "This action is aimed to neutralize the terrorists. Our activities are not aimed against civilians or the U.N.," Mladić wrote.²⁰

According to H.H., a fifty-five-year-old man:

Starting in April of this year, all the way to late June, there was talk of an army buildup near Perućac. Scouts and people who traveled between Srebrenica and Žepa reported seeing younger soldiers dressed in black uniforms in the area; they reported seeing military maneuvers being carried out, tanks on higher ground and tank columns moving towards Žepa. Then the Četniks²¹ started to bomb incrementally starting in April; people who trekked between Srebrenica and Žepa for food started to be killed in large numbers. Of about one hundred who would leave, only thirty or forty would return. In two months about 2,000 people lost their lives between Srebrenica and Žepa.²²

There was a lot of commotion in Srebrenica in the beginning of May when some of our men carried out a strike in Višnjača and killed those Serbs. People in Srebrenica were furious because — as the word was — it wasn't an ordered operation, but something carried out by individuals acting on their own. Everyone feared that this mindless action was equivalent to signing a suicide note for the city. From that day on, there was no more peace in Srebrenica. Bombs fell into the city every day and

²⁰Samantha Power, "Bosnian Serbs Seize 'Safe Area'; Fall of Srebrenica Enclave Challenges U.N. Prompts Warnings of Pullout," *The Washington Post*, July 12, 1995.

²¹ During the Second World War, Serbian forces loyal to the Serbian king fought against the Croatian fascists known as the Ustašas, Tito's communist partisans, and at times with and against the Nazis. The main objective of the Četniks was the restoration of the Serbian monarchy and the creation of Greater Serbia. Feared for their brutality, the Četniks committed atrocities against non-Serbs and Serbs opposed to their policies in Bosnia-Herzegovina, Croatia and Serbia. Croats and Muslims both in Croatia and Bosnia-Herzegovina commonly refer to Serbian military and paramilitary forces engaged in the current wars in Croatia and Bosnia-Herzegovina as "Četniks." The Yugoslav army and some Serbian paramilitary groups vehemently reject the label "Četnik," claiming they are merely defenders of their people and their land and that they are not extremists. Others, such as paramilitary units loyal to the ultra-right wing former leader of the Serbian Radical Party, Vojislav Šešelj, commonly refer to themselves as Četniks.

²² Human Rights Watch/Helsinki was not able to confirm the numbers of people killed during such treks between Srebrenica and Žepa.

even during one night in June, the Četniks carried out a commando strike inside the city. People were afraid.²³

U.N. officials acknowledge that Bosnian soldiers did launch attacks from the Srebrenica pockets, but stated that such attacks were few and small in scale, usually intended to obtain food and ammunition from the Bosnian Serbs.²⁴

Prelude: Starvation and Manipulation of Aid

Long before July 1995, there were numerous indications that Bosnian Serb forces were planning a summer offensive against the "safe area." Access for U.N. convoys was increasingly restricted by Bosnian Serb forces, so that by late February and early March 1995, only one convoy per month was being allowed into the "safe area" to feed the approximately 39,000 people.²⁵ Furthermore, Bosnian Serb forces forbade the U.N. convoys from delivering any salt to Srebrenica and Žepa, in what some UNPROFOR officials²⁶ told Human Rights Watch/Helsinki representatives, was an attempt to prevent residents from preserving food. The UNPROFOR officials also stated that by May, civilians in the enclave began to suffer from malnutrition, and by the first days of June, seven people had died of hunger. Such conduct by Bosnian Serb forces violated an agreement, reached between the Bosnian government and the Bosnian Serbs on May 8, 1993, which stipulated that Bosnian Serbs would allow food and other humanitarian aid convoys into Srebrenica and respect the principles behind the U.N.-declared "safe area." A U.N. official in Tuzla told Human Rights Watch/Helsinki representatives:

This was a deliberate tactic used by the Serbs to weaken the population of the enclave in order to prepare the area for a final offensive; the incremental denial of food, water, electricity and proper medical supplies by the Serbs over a long period of time should actually have been viewed as the true preparatory stages of the July assault on the enclave and should have served as a warning signal to the international community that the so-called United Nations "safe area" of Srebrenica was in danger.²⁷

Margriet Prins, UNHCR's head of logistics in Tuzla, warned the commander of the peacekeeping forces there not to use any of the humanitarian supplies that had been stockpiled. "I knew that the enclaves would fail. . . . I think most of us knew. It was obvious that the Bosnian Serbs needed a victory, since people on their side have been getting sicker and sicker of the war, and it was obvious that no one was going to stop them if they were serious."²⁸ As Human Rights Watch/Helsinki representatives were told by a U.N. official, on July 2 a request was made to U.S. forces in Zagreb to initiate an airlift operation, to supply humanitarian aid to the Srebrenica pocket; the request was turned down because it posed security risks for U.S. pilots flying over Serb-controlled areas.²⁹ By early July, the

²³ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

²⁴ Human Rights Watch/Helsinki interviews with U.N. officials, Bosnia-Herzegovina, August 1995.

²⁵ Of the seventy-seven humanitarian convoys slated to go to Srebrenica in 1995, only nineteen actually reached the enclave. Human Rights Watch/Helsinki interviews with U.N. officials, Bosnia-Herzegovina, August 1995.

²⁶ Human Rights Watch/Helsinki interviews with U.N. officials, Bosnia-Herzegovina, August 1995.

²⁷ Human Rights Watch/Helsinki interview with a U.N. official, Bosnia-Herzegovina, August 1995.

²⁸ David Rieff, "We Hate You," *The New Yorker*, September 4, 1995.

²⁹ The request was denied after U.S. air force pilot Scott O'Grady had been shot down by Bosnian Serb forces in June.

U.N. soldiers within the enclave were completely out of fuel and patrolled regularly on foot. According to UNPROFOR/UNPF officials, it was not uncommon to see people combing the garbage dumps looking for food within the enclave at that time.

U.N. Failure to Prepare or React

Prior to the offensive, Bosnian Serb forces hampered peacekeeping effectiveness, as well as troop rotations into Srebrenica. Bosnian Serb forces also crippled the Dutch battalion's military capability prior to the July offensive. The Dutch unit was equipped with TOW missiles capable of destroying tanks, but prior to the offensive Bosnian Serb forces confiscated vital TOW spare parts as the Dutch were bringing them into the enclave. This made the missiles inoperable.³⁰ Also, two rotations of Dutch troops stationed in the enclave had been allowed to leave, but the Bosnian Serbs refused their replacements entry. As a result, the force was reduced from an already gravely insufficient force of about 400, to about 300. According to U.14, officials interviewed by Human Rights Watch/Helsinki representatives, another larger rotation of between fifty and eighty Dutch troops was due to leave the enclave on July 5, the day before the offensive began, but they reluctantly remained as signs of the offensive flared up.³¹

Thus, the entire pocket — civilians and UNPROFOR troops alike — were psychologically and physically exhausted weeks prior to the offensive. One U.N. official admitted to Human Rights Watch/Helsinki representatives that the Dutch troops were so eager to leave that they avoided, with one exception, reporting serious signals of the looming offensive, such as troop movements, new reinforcements coming into the area, and large amounts of fuel being sent to the enclave. For example, just two days before the attack Bosnian Serb forces allowed one convoy carrying 100,000 liters of diesel fuel, an unprecedented amount, into the pocket. This fuel was then recaptured when the "safe area" was overrun. Given the embargo on the Bosnian Serbs, as well as their refusal to allow fuel into the enclave on previous occasions, their sudden influx of fuel should have been suspicious to the Dutch U.N. soldiers. Without the fuel, Bosnian Serb forces would not have been able to later bus tens of thousands of Muslims to Bosnian government-controlled territory.³² Instead of heeding these warning signals, U.N. officials initially brushed off the Bosnian Serb incursions into the "safe area," claiming that they believed that the Bosnian Serbs intended only to capture the southeastern tip of the pocket.³³

In late June and the days leading up to July 6, the number of shells landing within 200 meters of U.N. observation posts inside the enclave had increased substantially, concentrated mainly in the southern part of the enclave. Bosnian Serb artillery and tanks also advanced towards the enclave from the north and northeast. In total, U.N. sources estimate that approximately 5,000 Bosnian Serb troops had surrounded the enclave by July 5 with fifty artillery pieces and fifteen to twenty battle vehicles, including tanks and armored personnel carriers (APCs). July 5 was the quietest day the pocket had seen in a month; almost no incidents were reported.

³⁰Charles Lane, "The Fall of Srebrenica," *The New Republic*, (New York), August 14, 1995.

³¹ Human Rights Watch/Helsinki interview with U.N. officials, Bosnia-Herzegovina, August 1995

³² *Ibid.*

³³ Power, "Bosnian Serbs Seize 'Safe Area,'" *The Washington Post*.

OFFENSIVE AGAINST THE U.N. DESIGNATED "SAFE AREA" OF SREBRENICA

Bosnian Serb forces³⁴ launched a full-scale offensive on Srebrenica at 3:15 A.M. on July 6. Bosnian Serb forces, already less than two kilometers from the center of the city, began to shell civilian targets within the enclave. This was the first in a pattern of incidents invoking widespread panic and chaos because there was no place for Srebrenica's people to retreat. The shelling was too heavy to count the number of detonations, but U.N. estimates were in the thousands. The shelling did not stop until 3:00 P.M. and then resumed the next day at noon.

On July 7, the assault continued, although only a few casualties were reported. On July 8, Bosnian Serb forces heavily shelled central Srebrenica, advancing quickly. They attacked near the U.N. observation posts "U," "S" and "F" [see map at end of section] in the southern part of the enclave near a key road leading from Žepa - the adjacent eastern enclave - to the northern part of the Srebrenica pocket.

Given the scarcity of housing within the enclave, Srebrenica's residents sought shelter as Bosnian Serb troops began taking control of U.N. observation posts one by one. By the time the offensive was over, fifty-five U.N. troops had been taken hostage.

During July 7 and 8, tensions between the Bosnian Army and the Dutch U.N. troops rose because Dutch troops refused several requests from the government to fight on its behalf.³⁵ Additionally, during the course of the attacks, the local defense force in Srebrenica tried several times to take their weapons from the U.N. collection sites, but the Dutch troops refused them access.³⁶ Bosnian Army soldiers then threatened to kill Dutch troops if they ever abandoned their posts.³⁷ These tensions culminated on July 8, when Bosnian Serb forces overran observation post "F." As the U.N. troops retreated, a Bosnian soldier shot and killed a Dutch U.N. soldier.

In view of the increasing Bosnian Serb attack against the "safe area," Dutch soldiers within the enclave requested close air support from their U.N. commanders, but the date of the request remains disputed. Some contend that had close air support been provided sooner rather than later, the Bosnian Serbs might have halted their assault

³⁴ Human Rights Watch/Helsinki representatives interviewed persons displaced from the Srebrenica and Žepa "safe areas" in August 1995, in the cities of Tuzla and Zenica. Several witnesses interviewed by Human Rights Watch Helsinki representatives at that time stated that Serbs from Serbia proper and from formerly Serb-held areas of Croatia were present or took part in the August 1995 offensive against the Srebrenica "safe area." Persons interviewed by Human Rights Watch/Helsinki representatives reported that they recognized Serbian and Croatian accents (specifically from the Krajina area of Croatia) spoken by many of the soldiers. They also reported seeing emblems, insignias, patches and uniforms worn by troops from those areas. One witness testified that while in custody, one of his guards turned out to be an acquaintance who was a soldier in the Yugoslav army and who was a resident of Serbia proper, i.e., he was not a Bosnian Serb according to the witness.

³⁵ According to Dutch U.N. Warrant Officer Be Oosterveen stationed in Srebrenica during its fall. See Lane, "The Fall of Srebrenica," *The New Republic*.

³⁶ Human Rights Watch/Helsinki interviews with U.N. officials, Bosnia-Herzegovina, July 2, 1995. UNPROFOR/UNPF officials maintain that the weapons were so few and meager, and the Bosnian Serb assault so severe, that the weapons would have made little difference in the end. Although the U.N. could not give exact figures, one official told Human Rights Watch/Helsinki representatives that the Bosnian Army had "a few rocket-propelled grenade launchers, a few battle tanks, anti-aircraft cannons and very few armored personnel carriers."

³⁷ According to Dutch U.N. Lt. Gen. Hans Couzy cited in: Lane, "The Fall of Srebrenica," *The New Republic*.

on the "safe area" and thereby prevented the subsequent displacement and execution of its inhabitants. U.N. officials interviewed by Human Rights Watch/Helsinki deny that Dutch troops in the "safe area" requested close air support on July 8, claiming such a request did not come in until July 10. Other evidence, however, suggests that Dutch troops in the enclave acted sooner and believed that close air support might have dissuaded the Bosnian Serbs from pressing their offensive. According to press accounts, Lt. Col. Ton Karremans requested close air support on July 8, after the U.N. soldier had been killed by Bosnian government troops. That request was reportedly turned down by a commander of U.N. forces in Bosnia, British Lt. Gen. Rupert Smith, in Sarajevo. "They [Smith and his staff] felt the U.N. in Zagreb would see it as too early and not worth the risk," a Western military source in Zagreb said. Smith and his staff in Sarajevo apparently also feared that the Bosnian Serb forces would then be motivated to capture and hold more U.N. troops.³⁸ By this time, the Bosnian Serb forces had already taken about thirty Dutch peacekeepers hostage.

On July 9, most civilians on the outskirts of town had flooded the city center as Bosnian Serb forces closed in. Roughly 26,000 people were now living in an area where only 4,000 had lived before the war. Dutch soldiers in observation post "A" were attacked, and Bosnian Serb troops advanced on Dutch soldiers in observation post "C". Elsewhere, Dutch soldiers in an armored personnel carrier had been taken hostage. Of the three U.N. observation post in the southernmost tip of the enclave, each with roughly eight Dutch U.N. troops inside, one (observation post "F") had retreated and regrouped into a blocking position, and two (observation posts "U" and "S") had surrendered, and the U.N. troops at these two points were taken hostage. In addition, U.N. troops in observation post "K" reported heavy fighting in their vicinity. These troops were surrounded by Bosnian Serb forces to the south, west and east and were not allowed to withdraw to the north by Bosnian government forces. Observation post "M" had already been shelled and its troops had withdrawn to the south. Observation post "D" was surrounded by Bosnian troops and the U.N. was negotiating a withdrawal with these soldiers.

NATO jets were called in on July 9 to fly overhead, but rather than strike, the U.N. opted to withdraw and set up a "blocking unit" with about seventy troops. The U.N. sent Mladić a letter warning that if Bosnian Serb forces crossed the U.N. "blocking unit," they would face NATO air strikes. "This attack against a U.N. safe area is totally unacceptable and is a grave escalation of the conflict. The U.N. demands that this offensive cease forthwith," the letter read.³⁹ U.N. officials echoed the written statement saying that any attempt by Bosnian Serb tanks to get past the platoon of Dutch soldiers outside the city would result in bombing by NATO.⁴⁰ The U.N. and the Bosnian Army stood their ground until July 11, when Bosnian Serb forces plowed past their defenses.

By the evening of July 9, the staff of Lt. Gen. Bernard Janvier, the commander of all U.N. troops in the former Yugoslavia, was recommending that the Dutch troops be given close air support, but Janvier refused. At that point, European Union mediator Karl Bildt was in Belgrade trying to negotiate with Serbian President Slobodan Milošević for the recognition of Bosnia-Herzegovina, and Janvier reportedly feared that air strikes against Bosnian Serb forces would jeopardize the talks. He argued, as one source present at the meeting puts it: "If Karremans can hold out without close air, let's try it."⁴¹

On July 10, the assault continued as a front opened up on the eastern side of the enclave. Bosnian Serb forces directly targeted the Srebrenica hospital between 1:00 P.M. and 4:00 P.M. According to UNHCR estimates,

³⁸ *Ibid.* Lane quoting a U.N. official in Zagreb.

³⁹ Chris Hedges, "U.N. Warns Serbs of Bombing if They Attack Dutch Unit," *The New York Times*, July 10, 1995, p. A1.

⁴⁰ *Ibid.*

⁴¹ Lane, "The Fall of Srebrenica," *The New Republic*

approximately 30,000 people began to evacuate Srebrenica and move back to the northern part of the enclave towards a U.N. base in Potočari — a village located halfway between Srebrenica and Bratunac. On the same day, observation post "H" emptied and the Dutch troops withdrew.

The Security Council condemned the attack and demanded that the Bosnian Serb forces surrender and that both parties respect the April 1993 agreement.⁴² The Bosnian Serbs then announced that the U.N. troops could have safe passage out of the enclave if they surrendered their weapons, and demanded that all civilians leave the town within forty-eight hours.⁴³ Meanwhile, a Pentagon official stated, "We don't think the city is falling. . . . It's under considerable stress. . . . Our belief is that this is in retaliation for the [Bosnian] government offensive around Sarajevo, and designed to generate refugees, intimidate the U.N. and discredit the government."⁴⁴

Finally, on July 11, two days after the Bosnian Serb forces had driven through the U.N. blocking position, the U.N. used the close air support it had at its disposal.⁴⁵ The request from the Dutch troops came at 8:00 A.M. on July 11, and was made in consultation with the Dutch foreign minister. The foreign minister approved the use of air strikes, despite the fact that Dutch U.N. troops were being held hostage, but the request was again denied by Gen. Bernard Janvier.⁴⁶ At noon, another request for air strikes was made by the Dutch troops as Bosnian Serb forces walked into Srebrenica. At this point, Janvier decided he had no choice but to order air strikes, and at 2:23 P.M., a NATO air strike was finally launched. Four U.S. F16 fighter planes took part in the attack, which resulted in the destruction of one Bosnian Serb tank. As one U.N. official said, "It was a meager display. Too little, too late."⁴⁷

After gathering some belongings and food from his home, J.N. retreated to the hills, from where he could see the activities of both NATO and the Bosnian Serb forces. He reported to Human Rights Watch/Helsinki:

From that hill we could see everything that was going on in town. We saw a village, which was burning. Tanks were firing on the village. We just sat and watched while houses were pummeled one by one. Then we saw a column of tanks, armored personnel carriers and different kinds of vehicles in Bibići - about one kilometer from Srebrenica. The Četnik vehicles were placed along the whole road from Bibići to Srebrenica. We could see the Četniks shelling all the villages in the vicinity. They used the kind of shells that explode into fire as soon as they hit objects, so the houses began to burn at once. The Četniks were shelling exactly the places where the most people were concentrated. When I was sitting and looking at what they were doing to us, I started to cry and I said to myself that we would never survive this. My brother said he thought none of us would make it out alive. Then two NATO airplanes showed up and from this hill where we were, we could see everything. These NATO planes circled two or three times around Srebrenica and then they dropped a couple of bombs. But I saw each one come down, and I am sure that none of them hit their targets.

⁴² Refer to Background section for a description of this agreement

⁴³ Human Rights Watch/Helsinki interviews with U.N. officials, Bosnia-Herzegovina, August 1995.

⁴⁴ Chris Hedges, "Serb Forces Fight Dutch U.N. Troops in Eastern Bosnia," *The New York Times*, July 11, 1995, p. A10.

⁴⁵ According to U.N. procedure for close air support, such requests must first be made by the U.N. commander on the ground, then approved by the commander of U.N. forces in Bosnia, and then approved by the U.N. secretary general's special representative to the former Yugoslavia and the military commander for all U.N. forces in the region

⁴⁶ Human Rights Watch/Helsinki interviews with U.N. officials, Bosnia-Herzegovina, July 2, 1995

⁴⁷ *Ibid*

Even while the planes were dropping the bombs, they were still firing their tanks at the towns and villages. These airplanes came about three or four times and after they left, the Četniks began to bombard us harder than ever.⁴⁸

Bosnian Serb commander Ratko Mladić threatened to fire on the Dutch compound and the civilian population of Srebrenica and to execute Dutch peacekeeping hostages, if more air strikes were carried out. Following NATO's attacks on Bosnian Serb targets, Dutch Defense Minister Joris Voorhoeve contacted Yasushi Akashi, the U.N. secretary general's special representative to the former Yugoslavia and chief U.N. civilian officer in the U.N. mission, and demanded that air strikes be called off immediately. Such a request was apparently contrary to earlier requests by the Dutch Foreign Ministry for air strikes against Bosnian Serb forces. Akashi complied, the air strikes were not repeated, and the U.N. effort to save the U.N. designated "safe area" of Srebrenica shifted to damage control.

The immediate reactions to the fall of the so-called U.N. "safe area" of Srebrenica were mainly of panic and disunity. The U.N. Security Council unanimously voted for a resolution, which demanded that the Bosnian Serb forces halt their offensive, immediately pull back from Srebrenica, and free the Dutch U.N. soldiers. French President Jacques Chirac put forth an offer — never seriously considered and perhaps so intended — to send French troops as part of a multinational force if the Security Council so requested, in order to return the status of Srebrenica to a "safe area." On July 13, Reuters reported that British Foreign Secretary Malcolm Rifkind had urged Serbian President Slobodan Milošević to make the Bosnian Serbs "behave in a more civilized fashion." British Prime Minister John Major opted for inaction, however, by threatening to pull British U.N. peacekeepers out of Bosnia altogether. German Foreign Minister Klaus Kinkel recommended leaving the Srebrenica issue alone and concentrating instead on an impending attack on the "safe area" of Žepa. NATO announced that it condemned the taking of Srebrenica by Bosnian Serb forces and declared that it was "waiting for orders from the U.N."

In replying to the U.N. Security Council's resolution demanding that Bosnian Serb forces pull back from Srebrenica, rebel Bosnian Serb leader Radovan Karadžić announced that "Srebrenica is our land" and that there can be absolutely no word about retreat.⁴⁹ Bosnian Serb forces proceeded to pass through Srebrenica and continued on to Potočari without much resistance. More observation posts withdrew and U.N. troops and Srebrenica's civilians began to consolidate at a United Nations base in Potočari in the north.

⁴⁸Human Rights Watch/Helsinki interview, Tuzla, August 1995

⁴⁹Miloš Vasić, "Pad Srebrenice," *Belgrade, Vreme*, July 17, 1995, p. 8.

POTOČARI

By the time the air strikes occurred on July 11, much of the enclave was already in Bosnian Serb hands and most of the civilian population had already begun to retreat toward the Dutch battalion's U.N. base in the village of Potočari. U.N. troops tried to organize a hasty evacuation from the city center of Srebrenica for the roughly 28,000 panicked, but widespread chaos prevailed.

Evacuation from Srebrenica

T.T. gave her account of her family's quick departure:

The U.N. began telling everyone they had to leave and they organized transportation to Potočari. Everyone then started climbing up into trucks, but because I was with my three children and one of them was an infant, I couldn't fight my way in, so I had to stay. Some of us managed to get into the trucks, but there were a lot who didn't, and the column of people who were walking was very long. The Četniks were shelling the path that we were taking, and a lot of people were killed. Most of us tried not to look because we were just trying to save our own lives.⁵⁰

B.J., a twenty-three-year-old woman from the village of Orlica, gave a similar account of a hasty retreat:

When the Četniks finally entered Srebrenica, everyone was still there — even many of the men who had fought to defend the town. The Četniks pulled out again during the bombing, and we chased our men into the forests and mountains. Then mostly women, children, the elderly, the disabled, and many young boys and girls picked up and started to walk to Potočari where UNPROFOR made a large circle surrounded by barbed wire so we could all get inside. About 4,000 of us arrived in Potočari at first, but more came later.⁵¹

H.H., a fifty-five-year-old man from the village of Fojhar, believed the Bosnian Serb attack and the initial retreat of U.N. troops from Srebrenica were only temporary and would no doubt be reversed since the area was a U.N.-declared "safe haven." According to H.H.:

By July 11, UNPROFOR soldiers were in a constant retreat. At 8:00 A.M. they were positioned near the mosque at Petrić and began to retreat towards the center. By noon, they had moved back to the department store, by 12:30 P.M., they were at the bus station, and by 1:15P.M. they were at the gas station. At 1:20P.M., I locked the door of my house and joined the retreating civilians and soldiers — at this point the Četniks were at Kazanski bridge. So many people like myself thought that what was happening would only be a temporary thing. We thought that soon the West and the U.N. would demand that the Serbian forces retreat from Srebrenica and that the "safe area" status would be restored. "It was a U.N. 'safe haven,' there is no way it will be allowed to fall," I thought. That's why I didn't take anything with me when I left my house. I just locked my door and figured I'd be back in a few hours or a few days at the longest. Now all I have with me — of all the things I owned — are the keys to the front door of my house.⁵²

⁵⁰Human Rights Watch/Helsinki interview, Tuzla, August 12, 1995.

⁵¹ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

⁵² Human Rights Watch/Helsinki interview, Tuzla, August 1995.

By Tuesday, July 12, the Potočari camp was completely overcrowded. Approximately 3,000 to 4,000 civilians were crammed inside the U.N. base, and over 24,000 others stayed in the surrounding buildings or outside the camp. Shooting continued throughout the Srebrenica pocket and Bosnian Serb commander Ratko Mladić warned that unless Srebrenica surrendered the pocket would be shelled into submission. T.Y., a fifty-five-year-old man from Pobođe, told Human Rights Watch/Helsinki representatives:

The Četniks entered the area and started lighting up hamlets. Mortars were falling everywhere, and the people were all heading towards the U.N. base; everyone wanted to follow the UNPROFOR soldiers, because we didn't know what else to do. But even as we met up with the UNPROFOR soldiers and retreated with them, the Četniks still continued to shell us.⁵³

Bosnian Serb Forces Masquerade as U.N. Troops

Bosnian Serb forces had, by this time, completely surrounded the civilians in Potočari, and their tanks and artillery pieces in the hills were clearly visible from the camp. Most of Srebrenica's able-bodied men between the ages of sixteen and sixty had gathered together in a separate location in order to escape capture. They set off on a long trek through Bosnian Serb-controlled territory in an effort to reach Bosnian government-controlled areas, at the closest — about fifty kilometers away. The journey took the approximately 12,000 to 15,000 men between five and thirty-five days. Some men were still crossing over into Bosnian government-controlled area at the time Human Rights Watch/Helsinki representatives were in Tuzla during the entire month of August. On July 12, Serbian forces captured observation posts "R," "Q" and "N;" only posts "A" and "C" remained under U.N. control. By this time, a total of forty-eight Dutch U.N. troops had been captured by the Bosnian Serbs, and most had been transferred to Bratunac.

Meanwhile in Potočari, Bosnian Serb troops were freely walking inside the camp among the civilians, with the U.N. reduced to bystanders. Many displaced persons told Human Rights Watch/Helsinki representatives that the Dutch troops had been stripped to their underwear and that many Bosnian Serb soldiers were wearing U.N. uniforms and helmets, walking among the displaced persons in Potočari, fooling civilians into thinking they were really U.N. troops.⁵⁴

T.N., a sixty-three-year-old refugee from eastern Bosnia who had been living in Srebrenica, recounted the following:

At one point during all this, a few Serbian soldiers stopped an UNPROFOR vehicle and pulled out two UNPROFOR soldiers. The UNPROFOR men were very angry. The Serbs were making them take off their clothes at gun point. One U.N. man got really mad, took his uniform off and threw it on the ground. Then the Serbs took off in their vehicle.⁵⁵

⁵³ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

⁵⁴ UNPROFOR/UNPF representatives strongly denied such reports when Human Rights Watch/Helsinki inquired. However, a UNHCR official admitted it was true and furthermore told Human Rights Watch/Helsinki representatives that Bosnian Serb forces had amassed U.N. uniforms, equipment and vehicles from the previous hostage-taking of approximately 400 U.N. soldiers in May 1995.

⁵⁵ Human Rights Watch/Helsinki interview, Tuzla, August 7, 1995.

The UNHCR also reportedly confirmed that ninety-nine people, including twenty to thirty women and children, were killed by Bosnian Serb soldiers.⁵⁶ The soldiers, wearing the blue helmets and driving the white jeeps they had stolen from surrendering Dutch troops, had lured the refugees out of hiding to their deaths.⁵⁷

On Wednesday, July 13, Bosnian Serb soldiers stopped a U.N. medical convoy at Kravica, where UNPROFOR soldiers were forced to give the Bosnian Serbs their flak jackets. One witness reported seeing men dressed in U.N. uniforms, who spoke fluent Serbian, abducting two young women from Potočari.⁵⁸ N.P., a sixty-five-year-old man from Likari, described to Human Rights Watch/Helsinki representatives that he also saw Serbian soldiers dressed as U.N. peacekeepers:

When I arrived at Potočari on Tuesday, the Četniks were already there. We saw some U.N. soldiers in their underpants. Initially, the people thought that U.N. soldiers were walking amongst them, only to discover that it was really Četniks dressed up in their uniforms. I saw them pulling young boys and girls out of the crowd on Tuesday night. . . . Everyone at that time thought that the U.N. would guarantee our safety no matter what happened. We thought everything would soon be all over. If I had known that things would turn out like this and that I would never come back, I would have burned my own house down rather than have the Četniks loot and vandalize it.⁵⁹

Evacuation of Potočari and Early Killings

Once the refugees had gathered in Potočari, the Bosnian Serbs began the mass transportation of civilians to Bosnian government-controlled territory. An evacuee list was prepared: first, the sick were to be evacuated; second, the weak; third, the women with children; and fourth, men between the ages of sixteen and sixty. The latter group would only be released after the men had been interrogated to determine if they had committed any "war crimes." The actual deportations began on Wednesday and took one and one-half days to complete. The Bosnian Serbs transported the civilians in their own buses, each capable of transporting roughly seventy people. The aforementioned 100,000-liter shipment of U.N. gasoline, which had been allowed in by the Bosnian Serbs prior to the offensive, was apparently used to fuel the buses. Although most of the men had already fled to escape capture, some (mostly of non-draft age) remained. They were randomly separated from the rest of the people over the course of the next three days.

L.A., a woman, reported seeing twenty men being taken away and then one returning after he had been beaten. According to E.A.

On Wednesday evening [July 13], Mladić arrived [in Potočari] and announced that transportation would be halted until 7:00 A.M. the next morning. That day I saw approximately twenty men being taken away by a tractor-trailer. Women were crying and screaming; then they took four or five more men away. The circle was very big. When the men were taken away, the women screamed and cried. I saw some other men — five or six of them — being taken away. One of them came back Thursday morning. He was from Sućeska, but I don't know his name. He said that those five to six

⁵⁶ Lane, "The Fall of Srebrenica," *The New Republic*.

⁵⁷ *Ibid*

⁵⁸ Stephen Kinzer, "Bosnian Refugees' Accounts Appear to Verify Atrocities," *New York Times*, July 17, 1995

⁵⁹ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

people who were taken away the night before would now "guard the area with the Četniks together," he must have been ordered to say this because it didn't make any sense at all.⁶⁰

Bosnian Serb soldiers searched the factories near the U.N. base and surrounding buildings, taking away specific individuals who had taken shelter there. Then, Bosnian Serb commander Ratko Mladić arrived in Potočari on Wednesday afternoon. After Serbian television had recorded him handing out candy to the children and telling the refugees that they would be taken care of, the atrocities began. According to T.Y.:

Suddenly a truck carrying water and bread pulled up next to the factory. The Serbs started throwing the bread out to us and everyone scrambled for it since we hadn't had any food the night before. Right away, Serbian photographers started taking pictures of how the Četniks were giving us food and water. The journalists then left with Mladić, and the UNPROFOR soldiers were just left there in their underclothes. Afterwards, the Četniks started pulling young girls and boys out of the crowd. While all of this was going on, I recognized one of the Četniks; his name is Jovan Nikolić. He is about thirty years old and is from Kravica; he was a director of a school in Pobude. By that night, the people who hadn't been transported out yet became hysterical and frightened. We began to hear talk about corpses being discovered in the area. Četniks told us that we were Kurds. By Thursday morning, women were wailing and crying because many of their husbands and/or sons had been taken away by the Četniks for one reason or another, but had not been brought back.⁶¹

T.T., originally from Srebrenica, described how she dressed her fifteen-year-old son as a woman to fool the Bosnian Serb soldiers picking young boys out of the crowd. According to T.T.:

They [the soldiers] said, "We won't hurt you - we are the regular army," and then in the afternoon, on the second day Ratko Mladić showed up. He was standing just a few feet away from me when he spoke to us. He said everything would be fine, that there was no need to worry, that we would be safe here, and that nothing would happen to us. But not long after he left, about 1:00 P.M. or 2:00 P.M., the Četniks came into the building wearing camouflage police uniforms with the *kokarda*⁶² on their caps, and they started to take boys out of the building. They took about thirty boys away, we don't know where, but we never saw them again. They told us they were only going to ask the boys a few questions - that nothing at all would happen to them. We didn't dare look too closely to draw attention to ourselves. I was hiding my son. That night while we were in the building, we could hear screaming from outside - terrible screams all around, and the women were all crying for their sons. My son and I spent that night together terrified. He said we shouldn't wait another day to leave - that we should leave tomorrow. So in the morning, on the third day, we left the building and headed toward the meeting area for the transports to Tuzla. At this place, the Četniks were separating us into groups of men, or women with children. They were including little boys as young as twelve years old in the group of men, so I dressed my son up like a little girl. I put a scarf on his head and some bag on his back to make him look younger, and he snuck past them with me.⁶³

A Muslim woman, J.N., described to Human Rights Watch/Helsinki representatives how her son was killed:

⁶⁰ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

⁶¹ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

⁶² The *kokarda* is a Serbian nationalist emblem which depicts a double-headed eagle and is worn by some Serbian paramilitary groups.

⁶³ Human Rights Watch/Helsinki interview, Tuzla, August 12, 1995.

After 2:00 P.M. when Mladić left, it got very bad. The soldiers began to drink. Mladić said all of us - all women and children - would be evacuated that night to Kladanj. I was about to go and look for my youngest son Elmadin; [he was] fifteen years old. He was in a circle with soldiers and dogs all around him, and I couldn't get through. I went to find this U.N. interpreter, Vahid, and asked for his help. He said there was nothing he could do - that there was nothing the U.N. [soldiers] could do because they had all been disarmed for the last four days. Then he said that I should find the particular man who took my son, because he is probably the only one who could help me. Then I went up to this tent where there were ten Serbian soldiers, and I asked them what happened to my son. The Serb's name was Dragan. He said not to worry and that he had already sent my son to Kladanj, and that he was perfectly safe. I went back to the circle, and I was crying. Then at 4:00 the next day, they took my husband away. My husband was with two of my children, a daughter and my three-year-old son. They took my son out of his arms and just threw him on the ground. I was screaming, but they didn't stop. Then they made my daughter break away from my husband, and they threw her on the ground, too. And then my son Esmir . . . It is just so hard to talk about this. I can't, it just breaks my heart. . . . I was holding him in my arms. He was my son from my first marriage. We were hugging, but they took him away. They grabbed him and just slit his throat. They killed him. They made me drink his blood. I just can't say anymore, I just can't, you have to understand that it is breaking my heart. I'm still hoping the authorities or anyone can still get my other son or my husband free. . .⁶⁴

T.N. described how her husband and she were beaten as they were being separated:

They had been separating the men and women, but my husband and I had managed to stay together somehow. Finally, when it was time to leave, we went to the buses together. We were holding each other tightly. Just before we were about to get on the bus, the Serbian soldiers told us to let go of each other. We wouldn't do it, and then one Serbian soldier winked at the other. One guy pulled us apart, and the other hit me with the butt of his gun so that we would let go. I fell on the ground, and he stamped me with his boot and injured my leg. I can hardly walk now, I'm an old woman. My husband and some other men were taken to a factory while we were getting on the buses. It was all women on the bus. Everyone had to give whatever they had left to the Serbs, who demanded valuables from us on the buses. My grandson, the last time he saw me, gave me his ring because he said that he might never see me again. They had taken him away earlier, but my granddaughter didn't want to worry me at the time, so she didn't tell me.⁶⁵

Several witnesses interviewed by Human Rights Watch/Helsinki reported that the Bosnian Serbs took away boys younger than sixteen and older men in their seventies. Other men were separated from their families as they were boarding the buses or taken off the buses as they were driving to Kladanj.

There is also ample evidence indicating that many of the men taken from the Potočari camp were later killed. Several witnesses interviewed by Human Rights Watch/Helsinki representatives saw bodies of men whose throats had been cut or who had been shot, lying in houses in the hills surrounding the camp.

E.A. reported seeing the bodies of ten men who had previously been at the camp when she went looking for water. According to E.A.:

⁶⁴Human Rights Watch/Helsinki interview, Tuzla, August 5, 1995.

⁶⁵ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

A friend of mine, Majda, and I were sent to get water. We went to some nearby houses. In the first three or four houses there was no water, so we had to go further. When we arrived at the first house with water, we saw blood all over the place. The furniture inside was a mess. On our way back, we saw about ten bodies with their throats slashed; it was around 8:00 A.M. We walked back the same way we came, but we hadn't seen the bodies on the way there because we had been talking and we hadn't really paid attention to what was happening around us. But when we saw blood on the way back we began to look around a bit, and that's when we saw the bodies. I knew that these were men from the group of twenty taken away the night before, because I recognized some of the men and their clothes. We were frightened and went back to the circle. After that event, the Četniks forbade us to go there for water; instead, they brought a water cistern down to us.⁶⁶

Others recounted similar experiences. One woman interviewed by Human Rights Watch/Helsinki reported that she had seen three to four bodies in a house. Another said she had seen altogether about fifty bodies, all of men and boys.

International observers in Srebrenica also witnessed beatings and killings. Two international observers saw a man forcibly taken from a large group of people. A short time later they heard screams and upon investigation saw a Bosnian Serb soldier shoot the man in the head.⁶⁷ International observers also saw a man being beaten with rifle butts and then dragged into a house. He then heard one shot and concluded that the man had been killed.⁶⁸ Many witnesses said they heard screams in the middle of the night on Wednesday, July 12, 1995. International observers found nine or ten bodies dressed in civilian clothes lying near a creek. The bodies were all lying face down with their heads almost in the water. There appeared to be gunshot wounds in the back and sides of the bodies.⁶⁹ Another witness had seen the ten men being taken in the direction of the creek. Two more international observers witnessed the same scene later in the day. Although a group of six to seven bodies in civilian clothes was reported to have been seen in another location, accounts vary as to whether the cause of death had been the cutting of throats or gunshot wounds.⁷⁰

Dutch peacekeeping troops evacuated from Srebrenica said on July 23 in Zagreb that Bosnian Serb soldiers executed at least ten Muslim defenders and abducted between 150 and 300 men between the ages of sixteen and sixty, of whom nine were executed in the house, shot in the back. The Dutch officers acknowledged that with Bosnian Serb soldiers restricting their movements and stealing their vehicles, they may have witnessed only a limited picture of what really happened.⁷¹

⁶⁶ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

⁶⁷ U.N. Economic and Social Council, "Final periodic report on the situation of human rights in the territory of the former Yugoslavia submitted by Mr. Tadeusz Mazowiecki, Special Rapporteur of the U.N. Commission on Human Rights, pursuant to paragraph 42 of Commission Resolution 1995/89," E/CN.4/1996/9, August 22, 1995, paragraph 14.

⁶⁸ *Ibid.*, paragraph 15.

⁶⁹ *Ibid.*, paragraph 16.

⁷⁰ *Ibid.*, paragraph 16.

⁷¹ Alan Cowell, "Peacekeepers at Fallen Enclave Confirm Some Atrocities but Say They Saw No Rapes," *The New York Times*, July 24, 1995.

THE LIST OF MISSING MEN AND BOYS FROM POTOČARI

While in Tuzla, Human Rights Watch/Helsinki representatives were told by I.O., a displaced person from Srebrenica, that a list had been compiled of Muslim men who had been in the Dutch compound at the U.N. base in Potočari.⁷² The list contains the names of 239 military-aged boys and men who had been at the base, had surrendered to the Bosnian Serbs, and are now missing. The list was compiled by a Muslim from Srebrenica who had been at the Potočari base. His wife and son are also missing. I.O. told Human Rights Watch/Helsinki representatives that the list had been given to a Mr. Franken, a Dutch military officer at the Potočari compound. Mr. Franken reportedly told the Bosnian Serb soldiers that a list containing the names of the men and boys within the Potočari base had been compiled, that he retained a copy of that list, and that he would pass it on to "officials in Holland and Geneva" as a guarantee that the prisoners should not be mistreated by the Bosnian Serb forces.

Upon arriving in Bosnian government-controlled territory, I.O. began to contact various government, human rights and humanitarian organizations in Geneva and the Netherlands only to be told that no one had heard of such a list. Human Rights Watch/Helsinki representative then inquired with the Dutch Foreign Ministry about the existence of the list, but were told that it had no knowledge about the existence of such a list. However, following Human Rights Watch/Helsinki's request, an internal inquiry within the Dutch government was conducted and the list was eventually found in the Dutch Defense Ministry. A copy was then forwarded to the Dutch Foreign Ministry, which subsequently sent a copy to Human Rights Watch/Helsinki. A transcribed copy of the list appears as Appendix A of this report.

In the interim, Human Rights Watch/Helsinki learned that the U.N. peacekeeping mission's headquarters in Zagreb reportedly also retained a copy of the list, if not the original. On September 13, 1995, Human Rights Watch/Helsinki sent a letter to Maj. Gen. Ton Kolsteren, the U.N. force's chief of staff, asking whether the U.N. retained a copy of the list and whether it had raised the fate of the missing men and boys with Bosnian Serb officials. As of October 4, we had received no reply. We also sent a letter to U.S. Assistant Secretary of State Richard Holbrooke, appending a copy of the list and asking that the fate of these men and boys be raised with the Yugoslav/Bosnian Serb delegation during talks in Geneva on September 8. To date, we have not received a reply from the U.S. government regarding our letter.

Although the Dutch press is questioning whether and why their Defense Ministry suppressed the list, no one appears to have inquired about the fate of the missing men and boys, with the exception of the International Committee of the Red Cross, which has been lobbying for access to detention centers controlled by Bosnian Serb forces.

EVIDENCE OF HUMAN RIGHTS ABUSES IN POTOČARI DESTROYED BY DUTCH GOVERNMENT

According to a documentary aired on BBC2 in Britain on August 16, 1995, and an article published a week earlier by *The Observer*,⁷³ the United Nations destroyed video footage showing scenes of U.N. troops standing by while Bosnian Serb forces organized the massacre of Muslim men at the U.N. base at Potočari. According to *The Observer*, a Bosnian Serb cameraman filmed some of the same scenes that U.N. troops in Srebrenica were known to have captured on video. The footage reportedly reveals Bosnian Serb soldiers wearing looted U.N. berets and flak jackets and U.N. soldiers standing by while Bosnian Serb troops separate men from women and children. The film

⁷²It is unclear whether the list contained the names of all or just some of the men and boys at the Potočari base.

⁷³John Sweeney, "U.N. Cover-Up of Srebrenica Massacre," *The Observer* (London), August 10, 1995.

also reportedly depicts "a group of Muslim men prisoners herded into a field as Bosnian Serb soldiers were readying their weapons and there the film goes to black."⁷⁴ General Hans Couzy, commander-in-chief of the Royal Netherlands Army, has admitted that the video footage "was destroyed" on his orders because it also identified Dutch troops.⁷⁵

The withholding of the aforementioned list and the destruction of video footage of certain atrocities, that were carried out in the presence of United Nations peacekeepers, deprived the International Criminal Tribunal for the Former Yugoslavia of valuable evidence linking possibly identifiable perpetrators to their war crimes and denied Muslim families the opportunity to identify and possibly discover the fate of their missing relatives.

TRANSPORT TO KLDANJ: BOSNIAN SERBS TERRORIZE EVACUEES, SLAUGHTER FLEEING MEN AND BOYS

Bosnian Serb forces began transporting women, children and the elderly to the Bosnian government-controlled town of Kladanj on July 12. Approximately fifty buses and trucks were made ready by the Bosnian Serbs to transport Muslims from Potočari to the border of Bosnian Serb-held territory near Tišća. The drive lasted about two and one-half hours, via Bratunac and Vlasenica. The displaced persons were then forced to walk some six to eight kilometers across front lines to Bosnian government-held territory at Kladanj. Along the way the buses were frequently stopped by Bosnian Serb soldiers, who demanded money and jewelry. Bosnian Serb civilians stoned and harassed the passengers, calling them "Balijs," the derogatory term used to describe Muslims. Many men of military age who had attempted to make the trek through Bosnian Serb-held territory were captured along the way.⁷⁶ Although the numbers varied, evacuees spotted many captured men en route to Tišća. T.T. reported seeing about 2,000 men rounded up about one kilometer from Konjević Polje. According to T.T.:

As we drove through their territory, the Četniks showed us the three-finger salute [used by the Serbs] and said things like "Srebrenica is our territory - get out of here you Balijs." Then as we drove on the Glogova road, I saw about seven young men; all of them had their throats cut. They were lying on the side of the road, and one of them was around the same age as my son. His head was lying on top of a bag, but you could see clearly that his throat had been cut. Then, near Konjević Polje, I saw some other young men who I recognized from Srebrenica, but they were showing the three-finger Serb salute and one of them was holding a white shirt. I figured the Četniks had found them in the forests and forced them to surrender. . . . The Četniks were making them hold their three fingers up behind their heads as they led them up the hill. Then we came to Konjević Polje, and they stopped the bus near a café bar. Three soldiers came onto the bus and told us to give them the youngest child on the bus so that they could slit his throat. In fact, he said "Give us your youngest Ustaša"⁷⁷ - not

⁷⁴ *Ibid.*

⁷⁵ *Ibid.* See also Sylvain Ephimenco, "Soupçons sur les Casques bleus bataves," *Liberation*, (Paris).

⁷⁶ The trek is described in greater detail below.

⁷⁷ With the backing of the Nazi and Italian fascist governments, Croatian fascists (known as Ustaše) established the puppet state of the Independent State of Croatia (Nezavisna Država Hrvatske --- NDH). Under the Ustaša regime, thousands of Serbs, Jews, Romas and others were killed between 1941 and 1945. Some Muslims were members of the NDH government and some Muslim forces fought on the side of the Ustaša regime during World War II. Serbian military and paramilitary forces commonly refer to Croat and, to a lesser extent, the predominantly Muslim forces of the Bosnian government as "Ustaše." Most Croats and Muslims reject the label and vehemently deny that they are Ustaša sympathizers or fascists.

"child." So they told us to give them all the money and jewelry we had. They said that those who didn't hand it over would be taken from the bus and their breasts would be chopped off. They didn't do anything to us because all of us had something to give - we gave some gold and some money. I think all in all they probably collected about 1,000 German marks from us. Then the bus driver was allowed to proceed. About one kilometer from Konjević Polje — on the road to [Nova] Kasaba — I saw about 2,000 of our men who had been caught by the Četniks in the forest. They had their hands tied above their heads. They were showing us the three-finger salute as well. They were all around the road and on the sides of the road. The Četniks were standing around them with their guns at ready, and they were all heading in the direction of [Nova] Kasaba.⁷⁸

Many people said they saw smaller numbers of prisoners along the sides of the road. For example, E.A. said she saw about twenty prisoners standing in a field in Kravica and another fifty in Nova Kasaba. N.T., a twenty-six-year-old woman from Konjević Polje, saw twenty prisoners in Kravica. Additionally, international observers and a displaced person reported that they saw between 300 and 500 men at a soccer stadium in Nova Kasaba.⁷⁹ T.Y. from Pobude confirmed that a large number of Muslim men were rounded up in the Nova Kasaba area:

My convoy was made up of seven buses. All along the roadsides, I saw corpses and captured men from Srebrenica walking with their hands behind their necks; especially when we were passing [Nova] Kasaba — there was a tremendous number of prisoners gathered around there. Many of the women in my bus recognized the men who were captured. Meanwhile, Četniks were boarding our bus and looking for money or jewelry.⁸⁰

Some people were forcibly removed from the buses during the journey. At one point, three elderly men were taken off one bus during a stop at Kravica.⁸¹ Nine women — mainly between the ages of fifteen and twenty — were taken off a bus at Bratunac. The fate of these persons remains unknown. N.P. from Likari told Human Rights Watch/Helsinki representatives that during the trip from Potočari to Kladanj, the Serbs indiscriminately detained civilians from the groups being transported. According to N.P.:

We heard that some drivers were good and didn't stop at all [to let Serbian soldiers on board], but ours did. Serbian civilians and soldiers alike climbed on board demanding anything valuable. I saw people being dragged off of the other vehicles in our convoy. We were terrified. Even when we arrived at our drop-off point in Tišća, groups of Četniks there were calling out and looking for people from certain villages, places and towns. People were being dragged away to the sides of the road and out of view. A Četnik grabbed me by the arm and told me to follow him behind a bus. I saw that nobody was going in that direction. He told me there was a handicapped person there who needed help. I was frightened, because I knew he was lying. He told me I'd be right back, but as soon as his attention shifted to someone else, I broke away and slipped into the crowd.⁸²

In addition to the prisoners, many passengers saw dead and mutilated bodies on the sides of the road. According to N.T.:

⁷⁸ Human Rights Watch/Helsinki interview, Tuzla, August 12, 1995.

⁷⁹ U.N. Economic and Social Council, "Final periodic report. . .," paragraph 24.

⁸⁰ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

⁸¹ U.N. Economic and Social Council, "Final periodic report. . .," paragraph 21.

⁸² Human Rights Watch/Helsinki interview, Tuzla, August 1995.

We arrived in Kravica and from the window as we drove by I saw two women and about twenty men who had been captured by the Serbs. The Serbs were standing there with their machine guns pointed at their heads. I recognized them from Srebrenica. I was looking to see if my husband or some of my brothers were in that group. They had their hands behind their heads, and their faces were all black and blue and bloody. When we arrived in Lofići, I saw that some of our captured people were sitting at the side of the road. Their backs were turned to us. They were beaten up too, and some of them were only in their underwear. Then at about 10:00 A.M. as the bus drove by slowly, I also saw about one hundred men dead on the side of the road. The bus was going towards Konjević Polje. . . . There were a lot of corpses lying by the road in Konjević Polje. Some were by the road and others near the creeks, but they were very near the bus and we could see them clearly. . .

At Kasaba there were about ten Četniks. They had two boys captured who looked like they were only about ten to twelve years old. . . . The soldiers then told us that they had just made the two boys call out to their fathers in the forest. I didn't dare go out, because I knew they would capture me too. They were, nevertheless, yelling out towards the forests: "We have your wives and children here. We will kill them unless you all surrender." Their guns were pointed towards the trees, because I guess they knew a lot of our guys were near. They told us to get out of the bus, because they were going to kill us all. My son was crying "Daddy, daddy." We didn't get out of the bus. We just sat there for about half an hour. Then they gave up on us, and we started towards Kladanj.⁸³

Another witness whose transport was stopped in Kravica testified:

They said to us, "See your army?" Kneeling in the grass were many men I knew. They had their hands behind their necks. I saw one of my sons among them. But I could say nothing to him. I do not know if he saw me.⁸⁴

After the buses made the journey, they let the refugees out at Tišća from where they walked across front lines to Kladanj in Bosnian government-held territory. Many of the refugees reported seeing dead bodies on the side of the road during the walk. N.N. reported her experience to Human Rights Watch/Helsinki representatives:

We reached the end of the road, and he stopped the bus and let us out. We had to walk towards Kladanj. On the way, I saw them stop one woman and ask if she was a man dressed as a woman. When she said no, they laughed and asked her who would ever fuck her? As we were walking, I could see a lot of dead people by the side of the road. I saw a man with his throat cut, but he wasn't completely dead yet. He was still grasping for breath. The Četniks told us to stay away from the sides of the road and not to go by the creek because it was dangerous. But they didn't want us to go there because there were dead bodies all around. I saw about four of them - two of which were not completely dead. Some of our people went to the creek. When they came back, they said there were a lot of dead there as well.⁸⁵

⁸³Human Rights Watch/Helsinki interview, Tuzla, August 16, 1995.

⁸⁴Anthony Lloyd, "Srebrenica's Exiles Tell Grimly Familiar Stories of Murder," *The Times*, (London) July 15, 1995.

⁸⁵ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

RAPE AND OTHER INHUMANE TREATMENT

Women were raped and sexually abused during the fall of Srebrenica, although the extent of such abuse remains unclear. Human Rights Watch/Helsinki representatives only identified one victim of rape⁸⁶ while conducting random interviews with those displaced from Srebrenica, but other international observers have reported other instances of sexual abuse. The victim Human Rights Watch/Helsinki spoke to had left Srebrenica on a bus with several wounded people. When she arrived at Tišća with the other refugees, she was taken from the bus and raped.

In another case, reported by a foreign journalist,⁸⁷ a woman said she sat near twelve-year-old M.S. and fourteen-year-old F.S. — two girls she had known well — while she was awaiting transport in Potočari. Three Bosnian Serb soldiers passed through the factory about midnight on Tuesday, July 11, and abducted the two cousins, as well as twenty-three-year-old N.O. The witness said the soldiers were wearing United Nations uniforms and helmets, but their appearance, demeanor and fluency in the Serbian language made her certain they were Serbs. When the three returned several hours later, they reportedly were naked and covered with scratches and bruises, and the two young cousins were bleeding from the assault. "M. was crying the most. She was saying, 'We are not girls anymore.'" Reportedly, there was no water to wash the blood off themselves, so they tried to wipe it off with clothes that people gave them. Near dawn on Wednesday, Bosnian Serb soldiers came searching for men. "They took some boys who were about ten or eleven. We never saw them again. Everyone was in a panic, trying to hide their boys. While this was going on, F. slipped off to the side, took a scarf, tied it around her neck and hanged herself from a beam. By the time we found her she was dead."⁸⁸

In another case documented by another foreign reporter, two women described how they watched through half-closed eyes, pretending to be asleep, and hoping that they would not be next, as four Bosnian Serb soldiers raped a twenty-eight-year-old Muslim woman whom the soldiers selected from among those in Potočari. One of the witnesses — a nineteen-year-old woman — said she held one of her sister's children in her arms, hoping that would make her a less likely candidate for abuse. "Two took [the victim's] legs and raised them up in the air, while the third began raping her. Four of them were taking turns on her. People were silent, no one moved. She was screaming and yelling and begging them to stop. They put a rag into her mouth and then we just heard silent sobs coming from her closed lips."⁸⁹ The former U.N. special rapporteur on the former Yugoslavia reported that nine women between the ages of fifteen and twenty were taken off a bus at Bratunac and not seen again.⁹⁰ Another foreign journalist interviewed witnesses who said they saw women and girls taken from trucks in Kravica.⁹¹

H.H., a fifty-five-year-old man from Fojhar, reported that civilians who were rounded up in Potočari were terrified, especially about disappearances, suicide, erratic behavior and the talk of rape. According to H.H.

⁸⁶ The victim was willing to speak, but her psychologists felt that it would be detrimental to her therapy. Therefore, she was not interviewed at length by Human Rights Watch/Helsinki representatives.

⁸⁷ The following account is reported in Kinzer, "Bosnian Refugees' Accounts Appear to Verify Atrocities," *New York Times*.

⁸⁸ *Ibid*.

⁸⁹ Snježana Vukić, "Refugees Tell of Women Singled Out for Rape," *The Independent* (London), July 18, 1995.

⁹⁰ U.N. Economic and Social Council, "Final periodic report . . ." paragraph 21.

⁹¹ Lloyd, "Srebrenica's Exiles Tell Grimly Familiar Stories of Murder," *The Times* (London).

I saw Četniks leading young people away from Potočari. They were taking young girls and young men away from the "circle" and from the crowds gathered outside of it. I didn't see any of them return during my stay in Potočari. I saw people going crazy, losing their minds, having nervous breakdowns. I asked some people what happened to one particular girl who looked like she lost her head; they told me she was raped. I saw about seven people who hanged themselves in the zinc factory — six men and one woman who, I was told, was raped.⁹²

Human Rights Watch/Helsinki representatives also collected several accounts of injections being administered to the civilians in Potočari and men making the journey through the forest. N.N., one woman interviewed by Human Rights Watch/Helsinki reported that she had been given an injection while staying at a factory called "the 11th of March factory." She reported that the injections caused her to have severe hallucinations.

After hearing her testimony, a Human Rights Watch/Helsinki representative escorted N.N. to a medical tent run by the Bosnian government at the refugee camp. The doctor told Human Rights Watch/Helsinki that several patients had reported receiving injections of drugs, but could not recall specifically how many.

TREK THROUGH SERBIAN-CONTROLLED TERRITORY

As Srebrenica was falling, the overwhelming majority of military-aged men and boys and a smattering of women and children gathered in a separate location in order to make a journey through Bosnian Serb-held territory to reach Bosnian government-controlled territory. The majority of the persons in this group were civilians; men and boys interviewed by Human Rights Watch/Helsinki representatives stated that of the 12,000 to 15,000 trekkers, between 3,000 to 4,000 of whom were armed.⁹³ These armed persons were primarily located in the front and brought up the rear while civilians and wounded filled the middle. Some of those in between were also armed, although the vast majority were not.

Most men and boys of military age began grouping together and leaving the Srebrenica pocket in the evening and early morning of July 11 and 12. They formed a column, which stretched for approximately ten kilometers. The men had to walk in such a vulnerable formation because they had been warned of mined terrain. During the trek, the column was exposed to numerous attacks and ambushes by Bosnian Serb forces, during which violations of

⁹² Human Rights Watch Helsinki interview, Tuzla, August 1995.

⁹³ Also, see Tadeusz Mazowiecki, Special Rapporteur of the Commission on Human Rights, "Final Periodic Report ...," paragraphs 29-36.

humanitarian law were committed. These included: attacks against civilian targets,⁹⁴ indiscriminate and disproportionate use of force,⁹⁵ and summary executions.⁹⁶

After the U.N. failed to defend the "safe area" of Srebrenica, the enclave's military-aged men no longer trusted the UNPROFOR/UNPF troops, nor did they believe their safety would be guaranteed. I.N., a twenty-year-old born in Gladovići in the municipality of Srebrenica, recounted that he decided to leave the "safe area" on his own after he found out that the U.N. could do nothing to protect the enclave and its residents:

The Četniks bombed the civilian center every day from the beginning of the offensive on June 27 until the end when they came in. Everyone from the outlying areas of the city flooded down into Srebrenica around July 5 or 6; there was intense shelling. The Serbs advanced from the east, north and south, lighting up hamlets and villages as they got closer. We held out in the west, but they burned that area after Srebrenica had fallen. Since I had worked at a U.N. humanitarian distribution base before, I asked the Dutch why they weren't protecting us and why there were no air strikes; they told me it was because the Serbs said they would slaughter their [U.N.] hostages who were now in Bratunac [if the U.N. attacked].

J.N., a man from Konjević Polje - who was a logger before the war - described the atmosphere in the "safe area" on the last night in Srebrenica during the planning phase of the trek:

⁹⁴ Customary international law and the Geneva Conventions and their protocols expressly recognize that civilians and civilian objects may not be the direct objects of attack, notwithstanding that damage may occur among civilians and civilian objects collateral to a legitimate attack against military targets. (See *Respect for Human Rights in Armed Conflicts*, General Assembly Resolution 2444, 23 U.N. GAOR Supp. (No. 18), p. 164; U.N. Doc. A/7433 (1968); and Articles 48, 50, 51 (2), 52 and 53 of the 1977 Protocol Additional to the Geneva Conventions of 12 August 1949, and Relating to the Protection of Victims of International Armed Conflicts, which prohibit attacks against civilians or cultural property and define the principles of proportionality, which places a duty on combatants to choose means of attack that avoid or minimize damage to civilians.). Furthermore, Article 32 of the Fourth Geneva Convention states that parties are "prohibited from taking any measure of such a character as to cause the physical suffering or extermination of protected persons in their hands. This prohibition applies not only to murder, torture, corporal punishment, mutilation and medical or scientific experiments not necessitated by the medical treatment of a protected person, but also to any other measures of brutality whether applied by civilian or military agents."

⁹⁵ Article 51(5)(b) of Protocol I formulates this rule as follows: "an attack which may be expected to cause incidental loss of civilian life, injury to civilians, damage to civilian objects, or a combination thereof, which would be excessive in relation to the concrete and direct military advantages anticipated."

⁹⁶ The summary execution of civilians and persons *hors de combat* is prohibited under Article 75 of Protocol I and, moreover, under Article 85(3)(e) of Protocol I and Article 147 of the Fourth Geneva Convention is considered a "grave breach." Moreover, Article 13 of the Third Geneva Convention states:

Prisoners of war must at all times be humanely treated. Any unlawful omission by the Detaining Power causing death or seriously endangering the health of a prisoner of war in its custody is prohibited and will be regarded as a serious breach of the present Convention.

Prisoners are to be treated humanely "from the time they fall into the power of the enemy and until their final release and repatriation." (Article 5, Third Geneva Convention); i.e., after the combatants are rendered unable to bear arms as a consequence of surrender, wounds, illness or otherwise, the person no longer constitutes a legitimate military threat and, therefore, cannot be the subject of attack, is to be treated humanely and cannot be summarily executed.

The Serbs were already in the town, so the men tried to escape through the forest. I said goodbye to my wife and kids and went to meet up with the other men. We went to the big circle where the U.N. was, to wait for transportation to Tuzla. The boys and men first went to Lipa hill to discuss with everyone what our strategy would be. We called that route "the way of life and death." We realized that we had no other choice and that many of us would die. But this way maybe at least some of us would survive. If we surrendered to the Serbs, then we surely had no hope.

From that hill we could see everything that was going on in town. Then we saw a column of tanks, transporters and different kinds of vehicles in Bibići - about one kilometer from Srebrenica. The Četnik vehicles were placed along the whole road from Bibići to Srebrenica, and we could see the Četniks shelling the villages all around. They used the kind of shells that explode into fire. The houses began burning as soon as they were hit. The Četniks were shelling exactly those areas with the most people.

During the day, thousands of men arrived at Lipa. At about 6:00 P.M. we headed out towards Tuzla. There were maybe about 15,000 of us.⁹⁷

J.T., a thirty-seven-year-old miner from Srebrenica, gave a similar account of the departure:

In the evening about 8:00 or 9:00 P.M., about 15,000 men all met at Jagličići. There were even some women and children there who either wanted to go with their men or did not trust the Serbs to transport them safely. We had to decide whether or not to go to Žepa or Tuzla, but finally decided to go to Tuzla. At about 5:15 A.M., my sector headed towards Konjević Polje. We headed out in one column of two-by-two rows, and I was in the first section at about the 153rd position.⁹⁸

The men and boys began the journey by making their way through a forest in a column-like fashion. During the first section of the trek, while they were still in so-called "safe-area" territory, they experienced shelling and grenading, but no direct ambushes or assaults. However, during the second part of the journey, the column of men and boys was exposed to direct ambushes, as well as shelling.

J.C., born in May 1952, in Pomol in the municipality of Vlasenica, recounted that Bosnian Serb forces knew the men and boys from Srebrenica would attempt to escape through enemy territory:

The first of us left Jagličići at 4:30-5:00 A.M. on July 12. Scouts went out first to see what kind of conditions were up ahead; the column of men followed shortly. The Četniks knew we were going to head for Bosnian government-controlled territory from Jagličići, so they shot at us, threw grenades at us, and kept on shouting to us - most of the time through bullhorns - "We know you are going to try and pass through with your column! Better for you to go to Potočari and leave with the buses!" My section of the column departed at 12:30 P.M.⁹⁹

J.N. was situated at the front of the column and described the departure:

⁹⁷Human Rights Watch/Helsinki interview, Tuzla, August 1995.

⁹⁸ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

⁹⁹ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

I was in the first group with about 1,000 people, because I knew the terrain pretty well. We passed the first Četnik bunkers without a lot of problems, and in the morning we arrived near Kamenica. Those at the end of the column had a lot more problems, because the Serbs allowed a large portion of us in to penetrate their lines and then they began to ambush the middle. While we were stuck at Kamenica, all the wounded were being brought to a place nearby. We stayed there for the rest of the day and the night. After a while, we realized that we had to move, one way or another, or else we were surely dead. The Serbs knew this, too, so they just waited. They had squeezed everyone into one small spot near Kamenica. After we walked about 500 meters, the Serbs began shooting everywhere. I remember a tree falling down and killing more than twenty people at one point. I'm sure more than 2,000 people were killed from shooting and shelling there.

Serb tanks were placed all along the route from Kravica to Konjević Polje up to the intersection at Konjević Polje. My brother and I saw people falling down. Dead and wounded were all around. We were simply running without knowing where we were going. One shell fell near me, and I was terrified. That's when my brother and I separated. I haven't seen him since. There were people all around who were shot in the legs, arms, stomach. I saw so many bodies. At this point, the Serbs were all along the road from Kravica to Konjević Polje preventing us from crossing. We were trying to find our way through from the village Krajnovići to Kaldrumica road, but the Četniks were waiting for us. Their APCs and tanks were placed all along the road. When we realized that there was no way we could cross, we decided to retreat towards Nova Kasaba.¹⁰⁰

J T described what he saw after an initial section of the column was attacked:

We went through the forest and then down by a creek. There were Četniks on both sides. Almost immediately we began to hear detonations up ahead. They were shelling the people who had left before us. In any case, we had to keep going, and after about 700 or 800 meters, we came to an area where there were a lot of dead and wounded. My wife's brother was among the dead. We tried to cover them with leaves, because we didn't have time to make a grave, but we couldn't do them any justice.

As we approached a creek we were elated because we thought we would be able to drink some water. But then we saw all the dead bodies, and I couldn't even think about taking a drink. I think what happened was that the first group had come down to the creek to get some water when the shells landed there and killed all those people. The bodies were lying all over the place like little pieces of wood.¹⁰¹

P.I., a thirty-five-year-old man from Sućeska in the Srebrenica municipality, stated:

By the time we reached Šiljkovići/Buljim mountain we had already been shelled by grenades, anti-aircraft guns and anti-aircraft machine guns [PRAGAs and PAMs]. The Četniks tried to cut the column up as much as they could. In a meadow in the middle of a forest at Šiljkovići, we sat down to take a rest at around 3:00 P.M. There we decided to wait until dark to cross the road at Konjević Polje. About thirty of our badly wounded people had to be left near a stream. Complete chaos erupted when thousands of us started to depart. Suddenly there was a burst of weapons fire, and some rockets fell into the meadow. PRAGAs and PAMs started to hammer from all sides. There

¹⁰⁰ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹⁰¹ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

was massive panic among the thousands of us. It was completely dark. There were weapons firing from all sides, and many people were being killed.¹⁰²

Picking up and carrying as many of the wounded as they could, the men and boys continued to move ahead, but the chaos, panic and disarray produced by the ambushes caused large segments of the column to break apart and split into smaller groups and individuals. Survivors of the trek described to Human Rights Watch/Helsinki representatives how Bosnian Serb ambushes repeatedly cut the column into segments. Many of those fleeing became hysterical with terror and lost all emotional control, others decided to surrender, or as mentioned below, commit suicide. Also, people who were located in the back of the column recounted how they found piles of corpses of people who had been in the front and middle of the columns, littered along the terrain, near streams, rivers and meadows. Many had slit throats. I.N. vividly described the horrific ordeal which the men and boys experienced:

On July 12, around 11:00 A.M., I left Srebrenica with approximately 6,000 to 7,000 men. Our scouts told us to leave by walking in two columns because everything in the area was mined. We were so vulnerable to ambushes — walking in two long columns like that — but it was the only thing we could do to avoid getting blown up [by mines]. Around 5,000 to 6,000 men had left already, and they were already approximately fifty to seventy kilometers ahead of us. After about three kilometers, we encountered our first ambush at a stream. The center of our column was hit by anti-aircraft machine guns [PAMs] and mortars; around 200 people died just from that. The Četniks then came down from the hills, and about 2,000 men from the middle of the column got caught in the line of fire. The people at the front and back of the columns scattered everywhere. I was in the middle and saw how the Serbs were shooting everyone and slaughtering us with bayonets. These soldiers were not local Bosnian Serb soldiers who looked more like paramilitary bands; these soldiers must have come over from Serbia, because they were all wearing black uniforms with white bands on their necks. I managed to escape to a stream where I saw about fifty bodies, from there I tried to go to Kravica. At one point on the way I saw - about 200 meters in front of me - about one hundred people yelling "Don't shoot! We give up" and giving themselves up to the Četniks who rounded them up and took them away. I turned into a forest and ran into about thirty guys. We wandered around and after a while, we ran into a large group of about 3,000.¹⁰³

T.I., a sixty-three-year-old from Cerska, stated:

Even though I am sixty-three years old and was supposed to leave Srebrenica with the women, children and elderly on the buses and trucks, I was picked to follow our men out of Srebrenica, because I had a horse and could help transport some of the wounded. I think everyone who had a horse and could move the wounded was told to come along, because there were others. On July 11 or 12, I left in a column of about 5,000 to 6,000 people — civilians and soldiers from age twelve, thirteen and up. The guy I had to transport had a head wound and a hand injury. We were heading out towards Pobude-Kamenica.

We walked for about twenty-four hours. Then our column began to diminish, because people were breaking off and running into the woods and mountains individually and in little groups. Along the way we saw bodies, wounded people and a few who had just lost their minds. We encountered our first ambush near Nova Kasaba. We were in the woods, where our column had to stop and leave our wounded. The Četniks started shelling the woods with mortars and calling for us to come out and

¹⁰² Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹⁰³ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

give up. They told us that they would send the elderly to their families and that they would keep the younger men for exchanges. When we realized we were surrounded, people from the column started killing themselves, committing suicide; some threw themselves on top of grenades, others shot themselves in the mouth and others were shooting themselves in order to wound themselves in the hope that maybe their injury would somehow save them after they were captured by the Četniks. We ended up surrendering.¹⁰⁴

During the nighttime and during the ambushes, Bosnian Serb soldiers in civilian clothing managed to infiltrate the column — spreading disinformation and confusion, giving wrong directions, injecting men with what were believed to have been hallucinatory drugs, drawing groups and individuals away from the column, and killing people from within the column. I.N. continued with his account:

After a while I carefully got up and looked around. There was about 200 dead bodies lying around me. I listened carefully. I didn't know where I was. Then I heard someone talking, and I realized there were about a thousand of our guys. Again - just as before - we got into columns and walked, but by now almost none of us had weapons left. We carried the wounded and injured from the first and second ambush in woolen blankets. I had to leave the wounded guy I was carrying at the side of the road; I couldn't carry him anymore. He was about a twenty-year-old kid.

As night fell, we saw groups of men merging into our column. I saw unfamiliar faces; one of them started saying, "Hurry up with the wounded! Hurry up with the wounded!" All of a sudden we realized that the unfamiliar men were Četniks who had infiltrated our column. There was a lot of them, about 300. They ordered us to leave the injured and wounded at the side of the road, while their men started giving them injections and making them swallow some kind of pills. Later, people who were at the end of our column said that the injured and wounded people looked like they were dying after they were injected or forced to swallow the pills.

All of a sudden, in all that chaos, we noticed that the Četniks had suddenly disappeared; panic erupted. We were all in a meadow, when shooting suddenly erupted from a hill behind us. I ran for the woods right away. The Četniks came out into the meadow and started to kill and slaughter everyone they could. I ran about 500 meters with about twenty guys towards a creek when suddenly three grenades emitting red fire and smoke dropped in front of us. My eyes, nose and mouth started stinging. I thought it was some kind of poison, and for the first time, I became really frightened that I was going to die. Fortunately, a wind started carrying the smoke up the hill, so I turned downhill with about five guys. The stinging lasted for about half an hour. We descended to a creek where we heard running water. We wanted to go in, but we saw about twenty massacred bodies floating in it, some decapitated.¹⁰⁵

J.C. gave a similar account of the "infiltration tactic" used by Bosnian Serb forces:

The Četniks who had mixed into our column started telling us that they knew the way to safety. Many small groups broke off from our larger group of about 2,000 to follow these men - faces I had never seen before in Srebrenica. These unknown men told our guys to take the wounded with them; we never saw any of those wounded men again.

¹⁰⁴ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹⁰⁵ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

I came out onto a meadow near the village of Krajnovići where I found my cousin, Ibrahim Mujčić, and a friend. There, we were ambushed by the Četniks; they started slaughtering our men. The three of us ran to the bank of a creek to hide. During the ambush, three other men crawled up to us; one with a rifle and the other two with knives. One of them suddenly took Ibrahim by the beard and cut his throat. They got my friend, too. I jumped into the creek and ran about thirty meters while they shot at me. I hid in the bushes, and fifteen minutes later I saw them looking for me. They kept on saying, "He must be here somewhere." One of the Četniks walked about half a meter away from me; I was extremely frightened. They searched the area all day for other escapees as well. I remember that one of the Četniks said, "I mostly killed the wounded." I didn't hear that much shooting from the meadow, so I think most of our men there were slaughtered with knives just like Ibrahim was. I remained hidden until late that night, until I thought that everyone had left the area. I started to walk across the meadow - which was about 500 meters long - and must have seen about 200 corpses there - most of them slaughtered. I headed for the forest, walked through it, and came upon the Kravica river, which I crossed.¹⁰⁶

J.T.'s account of Bosnian Serb soldiers infiltrating the column closely corroborates I.T.'s and J.C.'s:

As we continued, we saw hundreds of dead people. Everyone was just trying to save themselves. Some were killed by shells, others by bullets. Then the Četniks began infiltrating our column. They were dressed in civilian clothes so of course at first we couldn't tell if they were our guys or not. They were killing our people, sometimes with wires and sometimes with a knife by slitting their throats. They didn't want to use guns because it would make noise and they did not want to draw attention to themselves.¹⁰⁷

A thirty-year-old bus conductor, from the Vlasenica area, G.I., witnessed how people in the column were being given injections at random by the Bosnian Serb infiltrators. Human Rights Watch/Helsinki representatives collected many testimonies in which men and boys gave similar accounts:

The Četniks were among us in the column. They were also in civilian clothes so we couldn't tell who was one of us and who was one of them. One of them was carrying water, and they had needles for injections with them. They began shoving the needles into people and injecting them. A lot of people around me were going crazy and acting very strange. They were having hallucinations. They were saying things like, "What a pretty rose that is," or "what a pretty cucumber." The Četniks were offering water to us, too, pretending that they were one of us. Some of them fell for it. I had a feeling they were Četniks, because this one guy, who said he was Admir from Žepa, had brand-new sneakers on and he was clean-shaven. They weren't nervous at all. They would lure people away from the columns by offering water to them and saying that they knew the way to go.¹⁰⁸

N.T., a forty-year-old man originally from Bratunac, described what he saw as a systematic tactic: "The Četniks continually shelled the columns in order to kill as many men as possible, but the shelling also diverted our attention from the infiltrators." He recounted how his part of the column was also ambushed from "the inside":

¹⁰⁶ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹⁰⁷ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹⁰⁸ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

The column and the forest through which we were moving were shelled by the Četniks at random the whole way. At around 3:00 P.M. that day, the column stopped in the forest so we could wait for the end of the column to catch up. We waited until about 6:00 P.M. At around 7:00 P.M., we headed out again and encountered the largest ambush near Pobude near Kravica. It happened around 8:30 P.M., when it got dark. We were hit by anti-aircraft guns [PRAGAs] from Kravica, while Četniks, who had infiltrated into our column earlier, suddenly opened fire on us from within the column. Everyone just dove to the ground; it was complete chaos; nobody knew what was going on, everyone was panicking, and there were massive casualties. The ambush lasted for about ten to fifteen minutes. Then the shooting stopped, and it was completely dark; we had to regroup and collect all the wounded. Everyone was screaming and shouting amidst the chaos. We ended up taking the lightly wounded with us and leaving the heavily wounded behind.¹⁰⁹

As the ambushes and infiltrating Bosnian Serbs continued to pick away at the column, men and boys tried desperately to regroup after the ambush. During the day, the men and boys stopped along the way to allow stragglers to catch up and to figure out who the infiltrators were. N.P., a twenty-five-year-old from Lehovići in the municipality of Srebrenica, described the exhaustion and extremity to which the victimized men were pushed

At dawn, the thirteen of us headed out. One of the men in the group was from Pobude and suggested that we head toward Kamenica, since he was familiar with that area. We made it to his village sometime in the morning of July 13. It was completely burned. On the way there, we ran across two wounded men - one of them had his leg blown off. They were good friends, and the former did not want to leave his partner at all. He begged us to call the Serbs so that his friend could get medical help. We told him that he was crazy - that the Četniks would surely execute them. Anyway, he didn't want to leave his immobile friend and go with us. He said, "We'll stay together no matter what; even if we have to die together. We have two guns, and if no one comes for us we'll shoot each other." So we left them and pushed on.¹¹⁰

N.T. gave an account of psychological exhaustion and paranoia gripping the men:

When we arrived at Ljiplje at around 2:00 P.M., we were ambushed by anti-aircraft gun [PRAGA] and anti-aircraft machine gun [PAM] fire from a fortification, and again, by Četniks within our group who opened fire. The attack lasted for about an hour; we all ran for low ground, took cover and then ran toward the forest. That night, the Četniks started infiltrating our group again. But some of us were more guarded now; trying to see whether anyone recognized these people who announced that they knew the way or where the Četniks were hiding. This time we caught one of them and killed him immediately when he couldn't answer some of the more detailed questions about "his history" in Srebrenica. It was a torturous state of mind to be in; no one knew whom to trust.¹¹¹

The column eventually became smaller and smaller in number, and smaller groups were left behind and separated from the rest. Many men and boys surrendered, and several witnesses told Human Rights Watch/Helsinki representatives that they saw unarmed men shot in the process of surrendering.

After running into a number of other stragglers from the column, I.N. recounted the following:

¹⁰⁹ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹¹⁰ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹¹¹ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

We made our way back to the main road where we came upon another group of corpses, between 200 and 220, which looked like they were killed with grenades. They didn't have bullet wounds, but it looked as if they were all torn up, like they were killed with shrapnel. We spent the next two days and nights walking through the forest, where we could follow the main road but not be seen by the Četniks. In that time, we must have seen about one hundred men coming down from the forest, onto the road, so they could give themselves up, but they were all being killed. We kept on walking for four days and four nights until we arrived at Križevici. Finally, I passed Četnik lines and crossed over into Memići in Kalesija around 9:00 A.M. and ran into a few Bosnian soldiers who showed me their I.D. cards and gave me a pack of cigarettes with a *liljan*¹¹² on it. I knew then that I had made it to Bosnian government-controlled territory.

When we were sneaking past all these villages in Četnik-controlled territories in eastern Bosnia, the amazing thing is that, in the area that had been "ethnically cleansed" of Muslims, there were no Serbian civilians. All the Muslim villages are burned out and empty. You can tell they haven't been inhabited for a long time, because the grass is overgrown and in some places as tall as me. The only things we had to worry about were Četnik patrols and groups of soldiers that were traveling back and forth looking for us; they were everywhere. The other thing I noticed during our trek through Četnik territory was that, many times, as we listened to Četnik patrols and guards, many of the soldiers spoke with Krajina¹¹³ accents; they had distinct Croatian accents.¹¹⁴

THE MASSACRE SITES

Human Rights Watch/Helsinki conducted interviews with a witness to a massacre in Kaldrumica (in the Nova Kasaba-Konjević Polje area), and with four persons who were detained by Bosnian Serb forces and later sent to mass executions at two sites in the Karakaj area (a town north of Zvornik on the Bosnian-Serbian border). Mass summary executions were also carried out at at least two locations in the Bratunac area, and there is strong evidence pointing to the existence of a third site.¹¹⁵

The Nova Kasaba-Konjević Polje Area: Prisoner Detention/Transit Center and Massacre Site

On August 10, while Human Rights Watch/Helsinki was conducting fact-finding mission, the U.N. Security Council held a closed session, at which Amb. Madeleine Albright, the U.S. delegate to the U.N., showed eight photographs — three of which were reportedly later made public. These American satellite and airplane photographs taken in eastern Bosnia around July 13 to 14 depicted people crowded into a soccer field in the Nova Kasaba area. Several days later, U2 aircraft photography recorded an empty stadium, but four patches of freshly dug earth and truck tracks in the nearby field. John Shattuck, the assistant secretary of state for democracy, human rights and labor, who was in Bosnia-Herzegovina in early August for a two-day fact-finding mission, stated: "The reasons [the U.S. suspects there are mass graves] are five-fold. First, there is newly disturbed earth where refugees were known to be. Heavy vehicle tracks were there where none was there before. There is no apparent military-industrial or agricultural

¹¹² A *liljan* is a fleur-de-lis and is the national symbol of Bosnia-Herzegovina.

¹¹³ Krajina is a region in Croatia that, until August 1995, was controlled by rebel Serbian forces.

¹¹⁴ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹¹⁵ Human Rights Watch/Helsinki has gathered compelling secondary evidence through interviews and collection of various media sources which give strong indication that a third massacre site exists in the Bratunac area. To date, Human Rights Watch/Helsinki representatives have not been able to make contact with any persons claiming to have survived a mass execution in Bratunac. Further investigation will be necessary.

reason for the tracks or disturbed earth. There are multiple confirming accounts from refugees. And there is no vegetation on the site."¹¹⁶

The information present in the testimony collected by Human Rights Watch/Helsinki representatives from the witness to the Kladrumica massacre tends to corroborate details of the photographs presented by the U.S. Furthermore, *Christian Science Monitor* reporter David Rhode's personal on-site observation and description of the massacre site in the Nova Kasaba area,¹¹⁷ is consistent with the information collected by Human Rights Watch/Helsinki, as well as the photographs.

According to testimonies collected by Human Rights Watch/Helsinki, from the men and boys who made the trek, Bosnian Serb forces strategically positioned themselves along major roads and rivers over which the men would have to cross in order to reach Bosnian government territory: at the Milići-Zvornik road, the Bratunac-Konjević Polje road, the Karakaj-Memići road, the Šekovići-Kusonje road, and at the Kravica, Jadar, Drinjača and Kamenica rivers.¹¹⁸ Apart from setting ambushes in the hills and forests outside of Srebrenica, Bosnian Serb forces were especially concentrated at the Milići-Zvornik road and the Bratunac-Konjević Polje road; Bosnian Serb forces apparently tried to capture as many men as possible before they reached this point, so that they could be detained at sites around Nova Kasaba and Konjević Polje. As described in earlier testimonies, Bosnian Serb forces communicated orders to the men on how and where to surrender before they reached the two roads. All massacre survivors interviewed by Human Rights Watch/Helsinki said they were either detained or rounded up in this area. According to I.N., a large massacre was carried out here as well:

After being separated from the column, I found about 300 of our guys in the burned-out and deserted villages in the Pobude area. We spent one night there, hiding in different houses. We ate some fruit and whatever else we could find. The next day about ten of us headed out towards Konjević Polje. We walked by the road until we arrived at the bus station in Kaldrumica, where we stayed for two days and two nights. The place was full of Četniks so we hid in some high grass and waited. All we saw during those two days was Muslims giving themselves up and Četniks killing them. [I overheard] Četniks from Kravica, and they announced over a loudspeaker that Muslims should "Come out! We won't harm you! Drop your weapons, drop your bags and put your hands on your head!" Muslims were coming down onto the main road from everywhere, giving themselves up.

The Četniks picked out Muslims whom they either knew about or knew, interrogated them and then made them dig pits which would be used as mass graves. During our first day there, the Četniks killed approximately 500 people. They would just line them up and shoot them into the pits. The approximately one hundred guys whom they interrogated and who had dug the mass graves then had to fill them in. At the end of the day, they were ordered to dig a pit for themselves and line up in front of it. Milan Savić, whose name I overheard and who seemed to be the one in charge, ordered the men to "line up," and then with an M-53 machine gun, they were shot into the mass grave.

All night, people came onto the main road and gave themselves up. I couldn't see because it was dark, but I heard shooting all night. At dawn, it was still the same. A bulldozer arrived and dug up a pit, which seemed to be about thirty meters long and about fifteen meters wide, and buried about

¹¹⁶ "Bosnia U.S. Spy Photos, Witnesses Indicate Mass Killings," International Report: An Online Newsletter, August 10, 1995.

¹¹⁷ David Rhode, "Evidence Indicates Bosnia Massacre," *The Christian Science Monitor*, August 18, 1995.

¹¹⁸ See map at back of report.

400 men alive. The men were encircled by Četniks; whoever tried to escape was shot. After that, they packed down the earth so it almost looked as good as new. Later, about 2:30 P.M. under Kaldrumica, over towards the Jadar river, I saw about 150 men collected together who were fired on by a tank and killed.¹¹⁹

In describing the rest of his trek towards Bosnian government-controlled territory, I.N. ran into other sites with great numbers of corpses:

We then decided to head out. We were about five kilometers from Konjević Polje and about five kilometers from Nova Kasaba. We crossed Kaldrumica, past the mass graves and through some kind of shallow pond. By morning, we made it to Cerska, and when it started getting lighter outside we realized that what we crossed last night was not a pond, but a pool of blood. All of our clothes were completely covered in blood. In Cerska we were able to hide out and wash ourselves off. From there we set out to reach Snagovo and again, around 2:30 P.M. we were ambushed on a meadow. We were fired on with PAMs [anti-aircraft machine guns] and grenades. We all ran in different directions. . . . I came to a stream where I discovered about 1,000 to 1,500 corpses for sure. I didn't know where to go, and after a little while I heard some voices in the distance. I saw someone ahead of me who was overturning the corpses as they moved towards me. I then saw that it was actually five soldiers moving my way and clearing a path for themselves. I lay amongst the corpses and they threw two bodies on top of me as they walked by.

After they left, I proceeded for approximately fifty meters. Then I heard someone up ahead talking on a military radio to Mladić. All I overheard was, "How is the job proceeding? Tell the men [*momcima*] that the authorities promised a triple reward [*trostruku nagradu*]." The man responded: "Mister General Mladić [*Gospodine generale Mladiću*], the job is following the plan [*teče po planu*]." I left the area quickly and hid among the bodies.¹²⁰

All the survivors of the massacres in the Karakaj area whom Human Rights Watch/Helsinki representatives interviewed described how they were rounded up and detained in the Nova Kasaba - Konjević Polje area, only to be transported to Bratunac, and later to Karakaj. During this time, many men and boys also described seeing buses full of women, children and the elderly passing by, and empty buses returning from the direction of Bosnian government-held territories. In addition, many described seeing Bosnian Serb soldiers dressed in U.N. garb and driving around in white, U.N. armored personnel carriers. After surviving a number of ambushes by Bosnian Serb forces, P.I. described his capture and arrival in Konjević Polje:

The Četniks started to announce over their megaphone; "You are surrounded. You'll die. People are getting killed; no one cares now. The only exit is towards Kravica; go there or else you'll be killed." The Četnik lines started to squeeze us. Shelling continued the whole time. . . . They told us to put our hands behind our necks and leave the dead. There were many corpses, between fifty and one hundred. We had to carry the wounded onto the road.

People were beaten and harassed during this whole process. As we had started walking towards Konjević Polje, a commander in a black uniform drove back and forth from the front of the column to the back in a black car; I think it was a Renault. . . . During our walk, a U.N. transporter drove up the side of the column from the direction of Konjević Polje and stopped in the middle, but then

¹¹⁹ Human Rights Watch/Helsinki interview, Tuzla, August, 1995.

¹²⁰ Human Rights Watch/Helsinki interview, Tuzla, August, 1995.

turned around and headed back in the direction of Konjević Polje. By the time we made it to Nova Kasaba, there were about 2,000 prisoners who had been rounded up.

When we arrived at Konjević Polje, they broke us up into groups. I was separated and taken towards Zvornik to an area where three buildings were under construction. This was July 13. I was put inside one of the buildings with about 200 to 300 people. . .

Then, I saw Mladić and a few other people get out of an armored personnel carrier. He came over to the field and started speaking to us. He announced that he is General Ratko Mladić and asked us rhetorically, "Where is your country? Where is your [Bosnian President] Alija [Izetbegović]? Where is your [Bosnian Prime Minister Haris] Silajdžić? Why are you trekking through the forest and leaving your women with the U.N.? You killed some of my soldiers, but not one more of you will get through. . . . All of you will be taken to your families. Srebrenica is Serbian, so you must go to Tuzla. You'll all be taken away tomorrow. Now you'll get back into the trucks and buses, and you'll be taken to Kravica. There you'll eat and sleep." After his speech, Mladić walked back to his vehicle and we were ordered to get into trucks and buses.

We got into about ten trucks with tarpaulins. About 120 of us were loaded into one truck, and they pulled the tarpaulin down. I didn't see whether any people were left on the field. I saw that there was a truck in back of ours and in front of ours. Our truck headed towards Konjević Polje, towards Kravica and then Bratunac.¹²¹

O.B., a seventeen-year-old from the municipality of Vlasenica, described how he was captured after his section of the column passed Buljim, a small mountain northwest of Potočari:

When we reached the forest at night, the situation became chaotic and crazy. That's when all the shooting and shelling started. . . . Finally, we had to give up because we were completely surrounded. Around 3:00 P.M. on July 13, the column made its way over a hill, and we suddenly saw approximately 300 bodies lying everywhere. When we reached the Konjević Polje - Bratunac road, the Četniks took us prisoners. All of them had one-piece camouflage uniforms and most of them were cleanly shaven. There were about 2,000 of us captured men. We had to carry all the wounded, too. While on the road I saw buses passing by full of women and children. We were then made to run towards Kravica in two columns side by side, holding our hands up with the three-fingered salute. While running, I heard the Četniks beating one person up behind me, but I wasn't allowed to look back.

We ran about one kilometer to Santići, right before Kravica, and were made to sit in a meadow. . . We then had to lie down on our stomachs with our hands behind our heads and clap while shouting, "Long live the King! Long live Serbia!" The Četniks were shooting, but I couldn't see if they were shooting at someone, because we weren't allowed to look up. When we got up it was a little before dusk. They told us to rest a little and then we'd be taken to Bratunac.¹²²

T. I. remembered:

¹²¹ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹²² Human Rights Watch/Helsinki interview, Tuzla, August 1995.

After we surrendered to the Četniks in the Nova Kasaba area, they brought us to a soccer stadium at [Nova] Kasaba and held us there for a while; there were about 3,000 of us there. We had to sit there with our hands behind our necks and not move until we had to go to some kind of registration. Then Mladić arrived and made a speech, in which he said that nothing would happen to us, that no one would beat us, and that they would send us older people to Tuzla. Then in the afternoon, a whole truck load of us was taken to Bratunac. The truck was covered with a tarpaulin; they put about a one hundred of us inside. It was night when the truck stopped at Bratunac.¹²³

Massacre in the Karakaj Area

Most of the massacre survivors' testimonies about events after reaching Bratunac are very similar. The fact that four of the survivors were detained in and transited through the Nova Kasaba - Konjević Polje area and were then bused to Karakaj via a stop in Bratunac suggests that the campaign carried out by the Bosnian Serb forces was systematic in nature.

All the survivors interviewed by Human Rights Watch/Helsinki representatives recounted that, before leaving for Karakaj, they spent the night in Bratunac, in the back of trucks as Bosnian Serbian soldiers randomly pulled people out and summarily executed them. N.P. remembers:

At Bratunac, the trucks pulled up in front of the Vuk Karadžić school. Altogether, there were four full buses in front of the school. Two policemen went into the school and came back later telling us that we had to spend the night in the buses.

The whole night, the Četniks kept on pulling people out of the buses. They pulled about two people from my bus and about ten to fifteen from the other buses. None of them ever returned. They also killed one person in front of the buses; three Četniks pulled him out and shot him. . . . All night long we heard gunshots and moaning coming from the direction of the school. That was probably the worst experience, just sitting in the bus all night hearing the gunfire and the human cries and not knowing what will happen to you. We stayed in the buses until 11:00 A.M. the next morning (July 14), when the policeman said that we would be transported to Kladanj. There were six buses and four trucks full of people. Later the convoy stopped to wait for the other vehicles to catch up, and a white U.N. transporter with caterpillar tracks showed up. For a second I thought we'd be saved, that we'd be exchanged, but when I saw the Četniks saluting and talking to the four U.N. soldiers who turned out to be Četniks themselves, I realized that it was all over.¹²⁴

P.I. gave a similar account:

When we got to Kravica around 4:00 P.M., the other trucks continued on towards Bratunac. We ended up spending the night in the truck, 119 of us, crammed together. During the night, guards would come around with guns and shout. They were looking for certain people from certain places, especially from Kamenica, Žedenska and Glogova. Here I recognized Milan Gručić [a Serb] from Orahovica, born around 1961 or 1962. We went to the same school for one year. I was a year younger. They wanted to extract information about who killed some Serbs. I saw five people executed around twenty meters away from the truck.

T.I.'s experience in Bratunac corroborated N.P.'s and P.I.'s testimonies:

¹²³ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹²⁴ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

The driver told us that we'd stay in Bratunac until morning, when he would find out where he was supposed to take us. Later a group of people started calling some of us out of the truck. They told them to step outside, that they would get a smoke. They called out about ten people out. Each time someone left, they didn't return. We couldn't see anything, but we heard what sounded like questioning, then it sounded like they were beating them, and finally, we would hear rifle shots. Later they started questioning another group of people from Santići and Golice. Again, it was the same, they would call someone out, tell them they could smoke, then we would hear some kind of talking, more beatings and gun shots.

The following day, the men were transported to Karakaj, where they were detained in one or possibly more schools. There, the prisoners were interrogated, harassed and beaten before being loaded onto trucks for transportation to the mass execution sites. Since two of the four massacre survivors were not able to give an articulate description of the school they were confined in, Human Rights Watch/Helsinki could not determine whether or not one or more schools in the Karakaj area were used as detention/transit centers. Moreover, since the descriptions of the execution sites varied among the two sets of testimonies, the existence of more than one detention/transit center cannot be ruled out. According to their accounts, P.I. and O.B. were most probably detained in the same school as their experiences and descriptions of the environment are almost identical. What is more, they ended up at the same execution site. P.I. recounted:

After Zvornik, we passed through Karakaj, turned left and pulled up to a school in front of which trucks were already parked. People were saying that we were in Petkovići, near Karakaj. The Četniks took us out of the truck one by one; we had to keep our hands behind our necks and yell, "Long live Serbia! Srebrenica is Serbian!" I was able to count four parked trucks while standing around outside. . . . We were put into large, unfurnished classrooms with closed windows. In the middle of the room were two civilians, one about thirty-five years old, the other about forty-five to fifty, who were beaten to a pulp. One of them was Munib Ademović from Sušnjari. They were bleeding and barely breathing. Between 150 and 200 of us had to sit in a circle. The Četniks told one of the prisoners that if there was any noise or commotion in the room, he'd be the first one to be shot.

Outside in the hallways, we heard constant shooting. People were thirsty, and some were losing consciousness. . . . Salih Mehmedović from Sućeska, born around 1967, got up to look for water in the corridor twice. The second time he didn't come back. . . . By now I was dying of thirst. Meanwhile, the Četniks were taking two people at a time out of the classroom and into the hallway. I don't know what happened to me, maybe I lost consciousness, but when I came to, I saw that there was only ten to fifteen people left in the classroom. It was dark outside and the classroom was lit up by a single light bulb. A man next to me, Kardrija Bećirović from Pomol, municipality of Vlasenica, born around 1965 or 1967, said to me, "Let's go, the two of us." I walked out into the corridor with him and saw about five or six Četniks. There were also two or three corpses lying in the corridor and it was covered in blood. We were ordered to strip to the waist, take off our shoes and hand over all documents and personal identification. I left my undershirt on and they tied our hands behind our backs. We had to stand in front of a wooden railing and turn away from the Četniks. They asked us where we were from, and when we answered Srebrenica, they cursed at us. They were looking for people from Kamenica. I received blows to the side of my head and was thrown into a dark, unlit classroom which was filled with people lying on the ground.

Fifteen to twenty minutes later, we were ordered to run out into the corridor. We were running barefoot on a floor which was covered in blood. I saw about twenty corpses lying near the front door. They beat us while we climbed into the trucks with our hands tied behind our backs. I got into the truck when it was just half full. The Četniks kept on yelling to load more and more people into

the truck until it was crammed full, and then they closed the back. They ordered everyone to sit, but we couldn't because it was so tightly packed with people whose hands were tied behind their backs. The Četniks started to shoot at people in order to make us sit down. There were many wounded prisoners.¹²⁵

O.B. told a similar story:

The next day, we passed through Karakaj but didn't know where we were going. When I got out, I saw that we were at a school. One Četnik was ordering everyone where to go, while another one was hitting people with the barrel of his gun. They would shout, "Whose country is this?" "This is Serbian land; it always was and it always will be!" They also shouted, "Whose is Srebrenica?" "Srebrenica is Serbian; it always was and it always will be!" We all had to repeat this. Inside the school, we were placed in about four or five large classrooms. They were all completely full; there was absolutely no room in there. . . .

In the hallway, I heard Četniks ordering and pulling people out of the classrooms: they would shout, "two," or "three Balije!" Then around midnight, one man came into our classroom and said, "Now you'll come out in twos for questioning." There was no more sound coming from the other rooms. Every time two prisoners went out in the hallway, I heard gunshots. After about half the men emptied out of the classroom, I got up with another guy and walked out. In the corridor, the Četniks made us strip to the waist and take our shoes off. They tied our hands behind our backs and threw us into another classroom with no lights. After about twenty minutes, they ordered us to come out one by one. On my way out of the school I felt that the floor was sticky. The next day when I looked at the bottom of my feet I saw that they were covered in blood. I also saw dead bodies lying next to the front door.

The trucks outside the school were now parked in the other direction. We had to climb in one by one. We were all crammed in with our hands tied behind our backs, and they ordered us to sit down. We couldn't, there were just too many of us, so they started shooting into the truck. Someone started screaming. I heard cursing. Somehow we managed to sit down after that. The Četniks pulled down the tarpaulin, and the trucks left the school.¹²⁶

N.P. and T.I. were detained in the same school, since N.P. testified to seeing T.I. in the gymnasium. N.P. described, among other things, seeing Gen. Ratko Mladić at the school:

When we got near Kušlat, we were all ordered to put our heads down. I had to cover my face with my hands. I kept on pecking and saw that we passed Drinjača, Zvornik and that we were headed for Karakaj. There we turned left onto a macadamized road and pulled up in front of a school in some small hamlet. The terrain was flat, and we passed in front of an "Elementary School M." I didn't have enough time to read the name of the school, but it started with an M and it was written in Cyrillic.¹²⁷

¹²⁵ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹²⁶ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹²⁷ A map of the school to which the witness refers is appended to this report as Appendix B.

We were then allowed to get off the bus. We ran through a corridor and into a gymnasium. When we got into the sports hall, there were already about 300 people sitting there in a semi-circle. . . . Now, the men were forced to turn around so that each line of prisoners would face one of the four walls. My line had to face the door from which we came. A little before 2:00 P.M., Mladić walked in with a few men and stayed in the gym for about four to five minutes. From a door on the right onto which the Četniks put up wooden boards made from benches, a stand was set up with water. When the prisoners saw the water, everyone lost their minds because we were so thirsty. About twenty-five people were made to stand up, were blindfolded by two Muslims who were picked out by the Serbs, and were then made to drink the water and exit through the door. Four kids under fifteen years old delivered the water, and I still wonder what happened to them. Outside we were loaded onto small trucks. I left the gym around 6:00 P.M. On the way out I saw my cousins Edhem Hasanović from Milačevići, Hakija Malić and Esad [Hakija's son] and Enez Hasanović. When we were getting into the trucks outside, a Serbian woman standing in front of her house was watching us. She was good-looking, and if the circumstances were different, maybe I would have winked and said something.

T.I. gave a similar account of events in the gymnasium:

In Karakaj, we were brought into a sports hall in which about 3,000 people were held captive. It was around 11:30 A.M. when we arrived. We had to take off our clothes down to our underwear. We weren't supposed to look anywhere, not even from side to side. If you did, they'd shoot in the air and start cursing at you. I managed to look around a little bit. They just kept on bringing people in the whole day, and I saw a few people I recognized. The Četniks continued to pick out individuals from the group and lead them away for questioning.

It was when the Četniks started ordering groups of about twenty-five to fifty to get up for water that I realized that something was wrong. We were blindfolded when we got water. I managed to tell my neighbor that if they don't want us to see who they are, something dirty is going to happen. The water which they gave us tasted terrible; it made my mouth sting. But right away, they put about sixty or seventy of us into a truck and left with a car following behind. I knew this because I managed to move my blindfold a bit and then take it off, but right away a Četnik yelled, "Ustaša! Put it on!" and started shooting.¹²⁸

Finally, the men and boys were loaded onto trucks and driven about two to three kilometers or about four to five minutes, on an asphalt road before turning onto a macadamized road where they were driven to outdoor locations and ordered to get out of the trucks in groups of five or ten and line up in front of the Bosnian Serb soldiers who fired on them. The two pairs of men, each of whom was taken to different sites, were able to describe the surroundings in detail. These men, survivors of the massacres, were later to get up from the field of bodies and escape. They disclosed details which indicate that the mass executions were well planned and systematically carried out. For example, all noted that, for extended periods of time, trucks pulled up to the site and dropped off loads of prisoners. Firing squads would execute several groups, and were then ordered to walk among the corpses to make sure everyone was dead. The presence of bulldozers, which pushed the dead bodies onto tractor trailers, indicates that Serbian authorities had prepared for large numbers of persons to be executed at the sites.

N.P. and T.I. were part of a mass execution carried out on a meadow. N.P. recounted:

¹²⁸ Human Rights Watch/Helsinki interview, Tuzla, August 1995

There were twelve of us in the small truck. We were driven for about two to three minutes, and when the truck stopped we were ordered to get out by twos. My cousin Haris called for me. When we jumped out we were directed to go left. I saw grass underneath the blindfold. Haris took my hand. He said, "They're going to execute us." As soon as he said that, I heard gunfire from the right side. Haris was hit and fell towards me, and I fell with him. I heard moaning from people who were just about to die, and suddenly Haris's body went limp.

I heard the Četniks talking. They sounded young. They kept on calling each other by Muslim names. It must have been some kind of tactic so there wouldn't be any danger of revealed identity. Someone was ordering them to finish us off individually. This process continued all day. I was frightened during the next "tour" of prisoners, which was to be shot after us. They were executed about twenty meters away from me. I heard all the bullets whizzing by and thought I would be hit. During that day I also heard trucks continuously driving up to another area about one hundred meters away and gunshots, which would follow shortly thereafter. There must have been two execution sites right next to each other. I also heard a bulldozer working in the background and became horrified. My worst nightmare was that I would be buried alive.

I kept hearing people gasping, asking for water so they wouldn't die thirsty. Others kept on repeating, "Kill me. Just finish me off," until they were. I lay on the ground with no shirt on all day; it was extremely hot, and ants were eating me alive. I couldn't budge a millimeter for fear of being seen. Soon many of my body parts fell asleep. There were moments when I just wanted to get up and have them shoot me. By dusk I started to feel sleepy. I woke up, I wasn't sure whether I blacked out or fell asleep, and it was drizzling. It was night time and I saw light beams from a bulldozer's headlights. I still heard the same noises as before - trucks driving up, people getting out and gunshots. I also remember distinctly an older voice calling, "Don't kill us, we didn't do anything to you," followed by gunfire. Later, I heard a truck pull up and someone saying, "No more left, it's late. We won't finish tonight. Leave some guards here and we'll take the bodies away tomorrow." The Četniks started arguing, because no one wanted to stay and guard the field of corpses. They said, "They're all dead anyway," and then left.

I waited for about four or five minutes to make sure it wasn't some kind of trick. It had stopped raining by now, and the moon was shining. When I finally decided to get up, I couldn't; my whole body was numb. It took me a few minutes to get adjusted, but when I got up I saw corpses littering a meadow about 150 meters by one hundred meters. Suddenly I heard someone ask, "Are you wounded?" I answered that I wasn't. It was sixty-year-old I.T. from Ornica in Sućeska. I tried to make my way over to him without stepping on the dead. It was impossible, so I tried at least not to step on the chests and torsos, but onto arms and hands. We saw two other wounded men, both in their thirties, one was shot in both legs and the other one was shot in the hip and in one leg. We checked to see if they could move and realized there was no way we could help them. They realized this too, and told us to run away as quickly as possible. Before we left, the man who was wounded in the legs told me he was cold and asked me to take a shirt or something off one of the dead bodies so that he could cover himself. The last thing I heard them say was, "Run brothers, save yourselves."

We ran into the forest, passing a burying pit, and spent six days wandering around. We ran into T I while we were making our way back, and the three of us traveled along rivers and valleys until we crossed over into Bosnian government-controlled territory.¹²⁹

¹²⁹ Human Rights Watch/Helsinki interview, Tuzla, August 1995

T.I. told Human Rights Watch/Helsinki representatives:

We came near to what I saw through my right eye was a wooded area. They took us off the truck in twos and led us out to some kind of meadow. People started taking off blindfolds and yelling in fear because the meadow was littered with corpses. I was put in the front row, but I fell over to the left before the first shots were fired so that bodies fell on top of me. They were shooting at us with about five or six anti-aircraft machine guns [PAMs] from all different directions.

About an hour later, I looked up and saw dead bodies everywhere. They were bringing in more trucks with more people to be executed. After a bulldozer driver walked away, I crawled over dead bodies and into the forest. I reached some railway line which led me to Križevci.¹¹⁰

P.I.'s and O.B.'s accounts, on the other hand, describe the mass execution site as a plateau of gravel located near a dam. P.I. recounted how he survived the mass execution and how he met up with O.B.:

We were driven about two kilometers. . . . When the truck stopped, they told us to get off in groups of five. We immediately heard shooting next to the trucks. I got off with Kadrija onto a gravel field full of dead bodies. About ten Četniks with automatic rifles told us to lie down on the ground face first. As we were getting down, they started to shoot, and I fell into a pile of corpses. I felt hot liquid running down my face. I realized that my head was only grazed. As they continued to shoot more groups, I kept on squeezing myself in between the dead bodies. Over and over I kept on hearing the command to shoot. After about half an hour, I heard someone yell out an order to check the corpses to see if anyone was left alive. I heard shots here and there, and when they got to me, one of them said, "Simo - take a look at the bones in this guy's back! If you saw it in the daylight you would freak out!" The Četnik just kicked me in the head to check if I was dead and moved on.

Again, I don't know if I lost consciousness or fell asleep, but suddenly I came to. My wrists were completely cut by the thick cords I was tied with. I guessed it was about 2:00 or 3:00 A.M. Everything was quiet. I didn't hear anything, so I began to crawl out from under the pile of corpses. Two huge lights shone down on the field, and I saw that it was a dam. The gravel field was on a plateau, about one hundred meters big, and there must have been around 1,500 to 2,000 corpses there. I was about five to ten meters from some trees. I tried to free my hands and heard a voice from about ten meters away say, "Hey friend, are you alive? Don't get up yet, maybe the Četniks are still here." I replied, "If you're alive, let's get out of here." The other person somehow made it over towards me.

In the canal, I told my friend to take two rocks and cut my ropes. We introduced ourselves; his name is O.B., a seventeen-year-old from the municipality of Vlasenica. I then took care of his wounds: besides his foot, he was wounded in his right arm and had bullet wounds on the right side of his torso. I took off my undershirt and tied his side and elbow up as best as I could. We had no idea where we were. It was getting close to dawn, and we decided to stay in the area until night time. Again that day, we heard more shooting and shouting and the sounds of tractors one hundred meters above us.

We hid until the next morning and then set off towards a hill where we had to cross a road. There we came upon a Muslim village which was all burned out. From there we could see the whole area around us clearly. We saw that near the execution site there was a body of water and some sort of

¹¹⁰ Human Rights Watch/Helsinki interview, Tuzla, August 1995

dam. We also watched how a bulldozer was scooping up dead bodies, dumping them near a forest and coming back to repeat the same. We suddenly heard gunfire, and we started to run.

We made it to a stream, where we found some apples. By following the sounds of far-away detonations and by spotting what looked like the Majevica communication tower [near Tuzla], we guessed that that was the direction we had to head towards.¹³¹

O.B.'s testimony almost mirrors P.I.'s:

When the truck stopped, we immediately heard shooting outside; stones were bouncing off the tarpaulin. The Četniks told us to get out, five at a time. I was in the middle of the group, and the men in the front didn't want to get out. They were terrified, they started pulling back. But we had no choice, and when it was my turn to get out with five others, I saw dead bodies everywhere. A Četnik said, "Come on Balije, find some space." We stood in front of the Četniks with our backs turned to them. They ordered us to lie down, and as I threw myself on the ground, I heard gunfire. I was hit in my right arm and three bullets went through the right side of my torso.

I don't recall whether or not I fell on the ground unconscious. But I remember being frightened, thinking I would soon be dead or that another bullet would hit. I thought it would soon be all over. While lying there I heard others screaming and moaning. . . . During one of the following executions, I felt a sharp pain in my foot. . . . The man next to me was moaning, and one of the Četniks ordered the others to check and see what bodies were still warm, "Put a bullet through all the heads, even if they're cold." Another Četnik replied, "Fuck their mothers! They're all dead!" Only one Četnik came over to the pile and shot the man next to me, and I felt stones hitting the upper part of my right arm. He continued his job until he was done. . . .

Later I heard a truck leave. I didn't know what to do. First I thought that I should call them to shoot me and finish me off, but then I decided to look up. I saw someone moving about ten meters away from me and asked, "Friend, are you alive?" I then told him to stay down a little more because there still might be some Četniks waiting around. I crawled over to him and tried to unfasten his ropes with my teeth, but they were tied around too many times. So he turned around and freed me instead. I only got two of his knots untied before we heard an engine of a truck or a tractor approaching. The man told me his head hurt, but otherwise he was okay. We made our way over to a canal. A few lights were turned on, and we saw that there was some kind of dam there.

In the canal, I cut the other two cords with stones. There, we also introduced ourselves to each other. His name is P.I. from Sućeska. He then tore his undershirt to wrap around my wounds. Above us we continued to hear trucks pulling up to the site and more gunfire. We stayed in the canal until dawn and then in the morning headed out through a forest and up onto a hill. . . . From the top of the hill we saw the execution site and how a yellow bulldozer was dumping the dead bodies into a tractor-trailer. The tractor would transport the corpses near a forest and dump them there and return to load up again.

We traveled hill to hill, road to road, stream to stream. P.I. was carrying me most of the time, since my foot was wounded. On the fourth day, I couldn't go on. I wanted to give up, but P.I. kept on telling me to keep my courage up. If it wasn't for him, I would have never made it. We passed a

¹³¹ Human Rights Watch/Helsinki interview, Tuzla, August 1995.

few Četnik bunkers, and getting past the guards and the front lines was worse than anything I had experienced before. But finally we made it to our territory. I just want to find my father now.¹³²

Massacre in the Bratunac Area

In addition to the two massacre sites discussed above, Human Rights Watch/Helsinki has collected numerous reports of a third site, located in the town of Bratunac. However, during the mission conducted in August, Human Rights Watch/Helsinki representatives were not able to locate any survivors of the massacres reportedly carried out in that area. Instead, much second-hand information was gathered from people who heard of executions being carried out in Bratunac days after Srebrenica fell. The fact that almost all prisoners who were rounded up by the Bosnian Serb military transited through Bratunac on the way to Karakaj, lends credence to these reports. Furthermore, in the past two and one half months, a number of newspaper articles strongly support such allegations. Nevertheless, a more detailed investigation must be carried out in order to determine the extent to which human rights violations were committed in the Bratunac area.

A Dutch U.N. soldier, Johan Bos, a thirty-year-old sergeant with the 13th battalion of the Dutch Air Mobile Brigade who was held by the Bosnian Serbs for seven days in Bratunac, told how his guards had "bragged about how they murdered people and raped women."¹³³ Another Dutch U.N. soldier whom the Bosnian Serb authorities had held hostage in Bratunac,¹³⁴ Ynse Schellens, stated that he saw a truck filled with bodies when Bosnian Serb troops transported him and other hostages to Bratunac. "We drove next to the truck. There were dead bodies to the left and to the right of it, and the truck itself was filled to the top with corpses." He added that the bodies were male, probably Bosnian soldiers.

A number of citizens of Bratunac and its surrounding villages who crossed the bridges on the Drina into Serbia proper told about the violent deaths of a large number of men from the eastern Bosnian enclave. The villagers' accounts were consistent in many details, including the place and the method of execution. Villagers consistently reported that the massacres took place in a playing field (*igraliste*) in Bratunac and in a warehouse behind a school. One woman, a resident of Serbia proper, reportedly said she had just been to visit her brother-in-law, who was a Bosnian Serb soldier. "He and his friends are quite open about what is going on," the woman said. "They are killing Muslim soldiers. They said they killed 1,600 yesterday [Monday, July 17] alone and estimated that in all they had killed about 4,000 men. They said they were in a big hurry, so they were shooting most of them. Only the known 'war criminals,' the ones that they have been looking for, had their throats slit."¹³⁵ Another woman from Ljubovija, in Serbia, reportedly said her husband, who is in the Bosnian Serb army, had told her of mass shootings in a playing field. She believed the number killed was approximately 3,000. "Many of the Muslim men were known personally to the Bosnian Serb soldiers," she said. And a man in Ljubovija claimed that the total number of detainees in Bratunac was about 4,000. According to him, they had been held in three locations: the Bratunac soccer field, a school in the nearby village of Handžari, and a camp further afield in Batković, near Bijeljina.¹³⁶ Similarly, accounts collected by Human Rights Watch/Helsinki to date indicate that prisoners were executed in a playing field, while men who had been identified as "war criminals" by the military and civil authorities were taken into the warehouse and reportedly later slaughtered.

¹³² Human Rights Watch/Helsinki interview, Tuzla, August 1995.

¹³³ Abi Daruvalla, "My Jailers Bragged of Murders," *The Independent*, July 23, 1995.

¹³⁴ U.N. peacekeepers were held hostage by Bosnian Serb soldiers in Bratunac during the attack on Srebrenica and were subsequently released on July 15.

¹³⁵ Robert Block, "Mass Slaughter in a Bosnian Field Knee-Deep in Blood," *The Independent*, July 21, 1995.

¹³⁶ Louise Branson, "Serbs Confirm Mass Killings," *The Sunday Times* (London), July 23, 1995.

To date the Bosnian Serb authorities have not disclosed where prisoners are located in Bratunac, nor have they allowed humanitarian organizations to visit them. Two international staff of the U.N. High Commissioner for Refugees, who tried to determine the whereabouts of the detainees and remaining displaced persons from the Srebrenica-Bratunac area, were expelled on July 14 by Bosnian Serb authorities and sent to Serbia.¹³⁷ Thus, the U.N.'s efforts to gain immediate access to areas of eastern Bosnia where U.S. aerial photographs indicate possible mass graves has been obstructed by the Bosnian Serbs.

A convoy of seventeen vehicles from the ICRC was able to cross the river Ljubovija, in Serbia, into Bratunac during the third week of July. Bosnian Serb authorities gave them permission to evacuate about one hundred Muslims who had been wounded at Srebrenica. However, when the Geneva team of the Red Cross arrived in Bratunac, they were told that twenty-three of the injured prisoners would not be allowed to leave. They could not determine what actually happened to these prisoners. The health center in Bratunac refused to provide any information on the wounded.¹³⁸

CONCLUSION

The July 1995 attack on the U.N.-declared "safe area" of Srebrenica by Bosnian Serb forces was planned well in advance and abuses perpetrated after the fall of the enclave were systematic and well-organized. Bosnian Serb commander Ratko Mladić was present at various areas within the enclave while abuses were taking place. Given the widespread, premeditated nature of the abuses, it is highly unlikely that Mladić knew nothing about these abuses. By failing to act to prevent such crimes — indeed by possibly ordering such abuse — Mladić is still further implicated in the commission of war crimes, crimes against humanity and genocide in Bosnia-Herzegovina.

According to the ICRC, up to 8,000 men — including boys as young as twelve years old — remain disappeared, and many are believed to have been killed or executed. On August 10, 1995, the U.N. Security Council adopted a resolution in which, among other things, it expressed concern for the fate of the estimated 8,000 men and boys who are still unaccounted for since Bosnian Serb forces overran the enclaves of Srebrenica and Žepa.¹³⁹

Although U.N. member states and U.N. officials have been ready to condemn war crimes and crimes against humanity in the former Yugoslavia, they have done little to prevent or stop such abuses from taking place. When asked during a July 12 press conference whether the fall of Srebrenica represented the U.N.'s biggest failure in

¹³⁷UNHCR, "Update on ex-Yugoslavia," Public Information Section, Geneva, July 15, 1995.

¹³⁸Dragan Mičić of Serbia for the Paris-based AIM (Alternative Information Mreža) - an independent news source on the former Yugoslavia, July 1995.

¹³⁹ According to U.N. Security Council Resolution 1004

The Security Council 1. Demands that the Bosnian Serb party give immediate access for representatives of the UNHCR, the ICRC and other international agencies to persons displaced from Srebrenica and Žepa who are within the areas of Bosnia and Herzegovina under the control of Bosnian Serb forces, and that the Bosnian Serb party permit representatives of the ICRC to visit and register any persons detained against their will, including any members of forces of the Republic of Bosnia and Herzegovina; 2. Also demands that the Bosnian Serb party respect fully the rights of all such persons and ensure their safety; 3. Reiterates that all those who commit violations of international humanitarian law will be held individually responsible in respect of such acts; 4. Requests the Secretary-General to report to the Council no later than 1 September 1995 with any information available to United Nations personnel regarding compliance with this resolution and concerning violations of international humanitarian law

Bosnia-Herzegovina, U.N. Secretary-General Boutros Boutros-Ghali responded, "No, I don't believe that this represents a failure. You have to see if the glass is half full or half empty. We are still offering assistance to the refugees ... and we have been able to maintain the dispute within the borders of former Yugoslavia."¹⁴⁰ The secretary-general did not indicate that the U.N. had a responsibility to protect the "safe area" in Srebrenica and its inhabitants at a time when Bosnian Serb forces were overrunning it, holding Dutch U.N. soldiers hostage, and executing the enclave's residents.

The only high-ranking U.N. official who was publicly outraged by U.N. behavior surrounding the fall of the Srebrenica "safe area" was Tadeusz Mazowiecki, the special rapporteur for the former Yugoslavia for the U.N. Commission on Human Rights. In a July 27 letter to the commission's chair, Mazowiecki announced his resignation, citing the U.N.'s having allowed the Srebrenica and Žepa "safe areas" to fall to abusive forces as the reason for his departure. In his letter of resignation, Mazowiecki stated:

One cannot speak about the protection of human rights with credibility when one is confronted with the lack of consistency and courage displayed by the international community and its leaders. . . . Crimes have been committed with swiftness and brutality and by contrast the response of the international community has been slow and ineffectual. . . . The very stability of international order and the principle of civilization is at stake over the question of Bosnia. I am not convinced that the turning point hoped for will happen and cannot continue to participate in the pretense of the protection of human rights.¹⁴¹

The Dutch battalion present within the "safe area" at the time of its fall did little or nothing to prevent the commission of war crimes, and allegations of misconduct by U.N. forces within the enclave persist. In light of these concerns, one of the last things Mazowiecki suggested in his final report as special rapporteur was to call for an investigation into the conduct of U.N. troops.¹⁴²

* * *

This report is based on a mission conducted by Ivan Lupis, research assistant to Human Rights Watch/Helsinki, and Laura Pitter, consultant to Human Rights Watch/Helsinki from July 31 to August 23, 1995. This report was written by Ivan Lupis and Laura Pitter, and edited by Ivana Nizich, research associate and Holly Cartner, executive director of Human Rights Watch/Helsinki. Anne Kuper provided invaluable production assistance.

Human Rights Watch/Helsinki

Human Rights Watch is a nongovernmental organization established in 1978 to monitor and promote the observance of internationally recognized human rights in Africa, the Americas, Asia, the Middle East and among the signatories of the Helsinki accords. It is supported by contributions from private individuals and foundations worldwide. It accepts no government funds, directly or indirectly. The staff includes Kenneth Roth, executive director; Cynthia Brown, program director; Holly J. Burkhalter, advocacy director; Robert Kimzey, publications director; Jeri Laber, special advisor; Gara LaMarche, associate director; Lotte Leicht, Brussels office director; Juan Méndez, general counsel; Susan Osnos, communications director; Jemera Rone, counsel; Joanna Weschler, United Nations

¹⁴⁰DPI International Report, Online Newsletter, July 12, 1995

¹⁴¹ Letter from Tadeusz Mazowiecki, special rapporteur on the situation of human rights in the territory of the former Yugoslavia, to His Excellency Tan Sri Dato' Musa Hitam, chairman of the U.N. Commission on Human Rights, Center for Human Rights, Geneva, Ref. No.: G/SO 214 (77-3), July 27, 1995.

¹⁴² U.N. Economic and Social Council, "Final periodic report ...," paragraph 66

representative; and Derrick Wong, finance and administration director. Robert L. Bernstein is the chair of the board and Adrian W. DeWind is vice chair. Its Helsinki division was established in 1978 to monitor and promote domestic and international compliance with the human rights provisions of the 1975 Helsinki Accords. It is affiliated with the International Helsinki Federation for Human Rights, which is based in Vienna, Austria. Holly Cartner is the executive director; Erika Dailey, Rachel Denber, Ivana Nizich and Christopher Panico are research associates; Ivan Lupis is the research assistant; Anne Kuper, Alexander Petrov and Lenee Simon are associates. Jonathan Fanton is the chair of the advisory committee and Alice Henkin is vice chair.

APPENDIX A: The List of Missing Men and Boys from Potočari

IME I PREZIME	GODINA RODJENJA	MJESTO PREBIVALISTE PRIJE RATA
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Name and Surname	Year of Birth	Place of Residence Before the War
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As listed on page 2 of fax sent from Dutch Foreign Ministry:¹⁴³

1. Hasanović, Aziz	1950	Poljak
2. Omanović, Izam	1972	Zapolje
3. Omanović, Almir		
(NAME IS CROSSED OUT -- NO OTHER INFORMATION PROVIDED)		
4. Nemić, Nuriya	1964	Srebrenica
5. Huseinović, Ismet	1954	Bučinovići
6. Hrustić, Semil	1973	Bratunac
7. ?, Nezir	1968	Bukovik
8. Salihović, Bajro	1962	Biljača
9. Mujić, Hamdija	1973	Zanjevo
10. Smajić, Jusuf	1972	Voljavica
11. Salihović, Senalid	1962	Voljavica
12. Avdić, Abid	1953	Srebrenica
13. Džović, Elvis	1972	Srebrenica
14. Alić, Hajrudin	1959	Brezovica
15. Kolić, Bekir	1960	Sivlje
16. Jusić, Kasim	1975	Poznanovići
17. Vilić, Sadik	1960	Voljavica
18. Jakubović, Mehmed	1973	Žozercko
19. Musić, Mehidin	1966	Vlasenica
20. Dedić, Osman	1956	Gerovi
21. Bečić, Azem	1951	Kledjevac
22. Tabaković, Šufrija	1973	Osmače
23. Mehmedović, Besim	1944	Kamenica
24. Smajlović, Idriz	1956	Srebrenica
25. Spriodic, Rifet	1966	Dugo Polje
26. Muhamedagić, Omer	1971	Srebrenica
27. Ahmedović, Islam	1964	Đogazi
28. Sulejmanović, Nehrudin	1975	Sase?
29. Smajić, Hasan	1966	Đogazi
30. Mehmedović, Mujo	1966	Skugići
31. Rizvanović, Hajro		Zalužje
(NAME CROSSED OUT - NO DATE OF BIRTH GIVEN)		
32. Muhamedagić, Mujo	1940	Srebrenica
33. Beganović, Sabahudin	1977	Poligon

¹⁴³ Human Rights Watch Helsinki retains a copy of the list that was faxed to us by the Dutch Foreign Ministry. Some of the names on the list are not clearly legible and Human Rights Watch Helsinki has transcribed, to the best of its ability, the name of each of the men on the list. It should, however, be noted that the spellings of some names and towns and dates may be incorrect, due to the poor quality of the list.

34. Selimović, Ibro

(NAME CROSSED OUT - NO FURTHER INFORMATION GIVEN)

As listed on page 3 of fax sent from Dutch Foreign Ministry.

1. Duraković, Sead	September 3, 1967	Dugo Polje
2. Hidić, Saša	March 31, 1964	Podgorica
3. Duraković, Alja	May 6, 1975	Dugo Polje
4. Karić, Hašim	August 26, 1972	Drinjača
5. Karić, Halil	January 2, 1975	Drinjača
6. Osmanović, Fikret	April 24, 1965	Bratunac
7. Osmanović, Rasim	May 13, 1960	Bratunac
8. Ahmetović, Samir	January 21, 1965	Bratunac
9. Jahić, Sadija	February 3, 1961	Sarajevo
10. Duraković, Junuz	September 22, 1954	Dugo Polje
11. Duraković, Muhidin	September 22, 1977	Dugo Polje
12. Abdurahmanović, Izet	October 20, 1961	Dugo Polje
13. Abdurahmanović, Mirzet	January 2, 1966	Dugo Polje
14. Hasanović, Jasmin	March 1, 1976	Dugo Polje
15. Hasanović, Asim	February 28, 1948	Dugo Polje
16. Ramić, Saban	May 7, 1965	Jagodnja
17. Kiverić, Ramiz	March 10, 1956	Jagodnja
18. Kiverić, Fikret	October 1, 1978	Jagodnja
19. Hidić, Mustafa	August 5, 1955	Nov a Kasaba
20. Jusić, Sejdin	January 7, 1941	Potočari
21. Đozić, Kiram	January 4, 1957	Zahojna
22. Ademović, Zulfó	May 5, 1957	Vlasenica
23. Isaković, Senad	1976	Orlica
24. Suljić, Kadrija	March 7, 1951	Risici
25. Salkić, Muhamed	March 25, 1968	Drinjača
26. Muharemović, Mahmut	April 13, 1962	Podčauš
27. Musić, Ahmet	May 7, 1940	Pečište
28. Suljić, Kadir	April 10, 1975	Risici
29. Ikanović, Iljaz	October 8, 1961	Srebrenica
30. Delić, Habib	1940	Osmače
31. Jusić, Damir	June 17, 1980	Podčauš

As listed on page 4 of fax sent from Dutch Foreign Ministry

1. Hasanović, Šefik	1959	Skelani
2. Čamdžić Huso	1935	Srebrenica-Kaza ⁹
3. Mehinović, Safet	1964	Dobrak
4. Salihović, Nevzet	1961	Voljavica
5. Alić, Izet	1962	Voljavica
6. Tabaković, Sead	1975	Voljavica
7. Hodžić, Salih	1945?	Pobuda

8. Čamdić, Mustafa	1935	Karačića
9. Tabaković, Ismet	1950	Nurići-Žutica
10. Alić, Hasan	1953	Srebrenica
11. Alić, Elvis	1977	Srebrenica
12. Delić, Haso	1950	Srebrenica
13. Kamenica, Muhamed	1936	Srebrenica
14. Mehimović, Mehmed	1950	Skelani
15. Bajramović, Mehmedija	1935?	Dobrak
16. Muhić, Izet	1948	Voljavica
17. Jumuzagić, Alija	1947	Knjmanići-Rešagići?
18. Hasanović, Meho	1980	Žaužje
19. Muhić, Sukrija	1935	Voljavica
20. Musić, Mensur	1980	Vlasenica
21. Alić, Nedib	1957	Turbe
22. Malagić, Elvir	1975	Voljavica
23. Rizvanović, Behudin	1979	Cerska
24. Jusupović, Mirsad	1979	Konjević Polje
25. Mujić, Mujo	1936	Karačići
26. Dagić, Osman	1936	Pobude
27. Suljic, Camil	1936	Ljesovik
28. Tabaković, Mirzet	1980	Nurići-Vlasenica
29. Đananović, Đemal	1980	Skelani
30. Memišević, Mevlid	1978	Brezovice
31. Selimović, Ibrahim	1938	Peruani?
32. Hrnić, Nezir	1938	Kamenica
33. Mujić, Redo	1951	Sase

As listed on page 5 of fax sent from Dutch Foreign Ministry:

1. Salihović, Senad	1979	Drinjača
2. Hasanović, Behadil	1957	Krivače
3. Alić, Ibrahim	1940	Jagodnja
4. Alić, Jurmo	1945	Trubari
5. Ljumbić, Ahmo	1932	Mehmedovići
6. Bajić, Ismerija	1969	Bratunac
7. Kadnik, Alija	1939	Karačići
8. Nuhanović, Sefih	1959	Peći
9. Mehmedović, Muhamed	1975	Dobrak
10. Ljušić, Meho	1940	Rijeke
11. Ljušić, Meharis	1979	Rijeke
12. Pitarević, Besim	1980?	Peći
(NAME CROSSED OUT)		
13. Lolić, Mihret	1979	Peći
14. Bojaloović, Zaim	1947	Ljubulje
15. Bajrić, Ismet	1950	Daljša
16. Špodić, Reljik	1960	Dugo Polje
17. Bekić, Suad	1979	Mehmedovići
18. Bekić, Atif	1972	Poljak

19. Malkić, Jusuf	1936	Osat
20. Osmanović, Hamed	1934	Žanjevo
21. Begić, Salih	1936	Radovčići
22. Begić, Halid	1966	Radovčići

As listed on page 6 of fax sent from Dutch Foreign Ministry

1. Mehić, Mirsad	1964	Dugo Polje
2. Mustafić, Emin	1969	Drinjača
3. Mujić, Esad	1979	Dugo Polje
4. Mujić, Manjo	1960	Dugo Polje
5. Mujić, Dzevad	1977	Dugo Polje
6. Mujić, Admir	1977	Dugo Polje
7. Mujić, Malco	1950	Dugo Polje
8. Mujić, Bajro	1958	Dugo Polje
9. Mujić, Suad	1967	Dugo Polje
10. Begović, Ahmo	1948	Biljača
11. Zukić, Zuriyet	1969	Karačići
12. Huremović, Nedib	1977	Dugo Polje
13. Isaković, Safet	1972	Žanjevo
14. Huremović, Nezir	1942	Dugo Polje
15. Omerović, Amir	1969	Lolići
16. Omerović, Avdurahman	1950	Kamenica
17. Avdić, Mehmed	1943	Osat
18. Avdić, Džemal	1941	Osat
19. Salkić, Mirsad	1962	Osat
20. Mehić, Hazim	1942	Lolići
21. Halilović, Nazif	1935	Klotijevac
22. Smailović, Samir	1971	Zalužje
23. Džananović, Ramo	1961	Jagonja
24. Čukanović, Irfan	1950	Srebrenica
25. Omerović, Osman	1960	Biljača
26. Omerović, Juso	1939?	Biljača
27. Džananović, Husein	1954	Beširevići
28. Bajramović, Tahir	1977	Poljak
29. Džanić, Edhem	1942	Dobrak
30. Mehmedović, Ahmo	1950	Dobrak
31. Hasanović, Ramiz	1979	Cerska
32. Alić, Hasan	1940	Brezovica
(listed as 33 - no 32 on original list)		
33. Dautović, Habib	1939	Bubin
(listed as 34)		

As listed on page 7 of fax sent from Dutch Foreign Ministry:

1. Saib, Jahić	1960	Osatica
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2. Alić, Seid	1964	Trubari
3. Salkić, Omer	1952	Biljača
4. Salkić, Sevdahet	1978	Biljača
5. Mujčinović, Ejub	1960	Dugo Polje
6. Mašić, Ramo	1957	Zapolje
7. Smajlović, Hasan	1974	Tokoljaci
8. Memišević, Meho	1942	Brezovica
9. Dogaz, Vahid	1972	Dugo Polje
10. Dogaz, Hajrudin	1955	Dogazi
11. Jusić, Husein	1968	Dedici
12. Avdić, Hajrudin	1954	Sebjocina
13. Dananović, Fikret	1961	Beširovići
14. Bektić, Kiram	1953	Srebrenica
15. Pašić, Mevludin	1950	Srebrenica
16. Osmanović, Rifet	1946	Pečista
17. Čakco, Ramiz	1953	Drinjača
18. Harbaš, Enes	1947	Velika Daljeg
19. Selimović, Ismet	1940	Tokoljaci
20. Osmanović, Esad	1966	Demirovići
21. Mustafić, Rifet	1935	Drinjača
22. Isaković, Memiš	1972	Pobude
23. Hodić, Sabahudin	1965	Bratunac
24. Mehmedović, Avdija	1967	Srebrenica
25. Krđić, Dahmo	1979	Osmače
26. Huseinović, Hadrudin	1944	Potočari
27. Jamić, Hamed	1945	Osmače
28. Šahman, Bećrović	1948	Nedeljišta
29. Sublić, Sulejman	1945	Pusnolići
30. Jusić, Ahmo	1977	Bratunac
31. Ljeskovic, Murat	1936	Skelani
32. Golić, Sadik	1974	Glogova

As listed on page 8 of fax sent from Dutch Foreign Ministry

1. Idriz Sinanović	1949	Osmače
2. Salko Delalić	1966	Dobrak
3. Hamid Ibrahimović	1958	Bratunac/Podgradac
4. Sabahudin Gluhić	1953	Srebrenica
5. Suljić Smerija	1939	Bratunac
6. Elvis Alić	1978	Srebrenica
7. Sabahudin Omerović	1975	Jassadva'/Srebrenica
8. Ejub Hasanović	1955	Založje
9. Alija Smajlović	1949	Dodići/Srebrenica
10. Nuriya Smajlović	1978	Dodići/Srebrenica
11. Begić Zikrija	1938	Pribidoli
12. Samir Begić	1979	Pribidoli
13. Salih Mustafić	1962	Pribidoli
14. Nubedin Krzić	1976	Vidikovac
15. Sagit Krđić	1976	Osmače

16. Nevzet Salihović	1961	Voljavica
17. Ahmo Đogaz	1951	Dugo Polje
18. Rifet Hasić	1960	Tegare
19. Himzo Beutić	1940	Brezovice
20. Ibrahim Selimović	1939	Osat
21. Mehmedalija Bajramović	1944	Dobrak
22. Hamza Čivić	1956	Tokoljaci
23. Mehmed Mehmedović	1954	Pobudže
24. Esad Omerović	1946	Lolići
25. Adem Hodžić	1951	Prohići
26. Mehmed Salkić	1943	Osat
27. Senad Sinić	1978	Olovo
28. Ramo Osmanović	1973	Poznanovići
29. Munih Lemeš	1953	Deširovići
30. Injaz Lemeš	1976	Deširovići
31. Jusuf Jusufović	1946	Drinjača

As listed on page 9 of fax sent from Dutch Foreign Ministry

1. Rebić, Hakia	1951	Pribidoći
2. Aljić, Latif	1959	Dobrak
3. Jukić, Alija	1936	Urisić
4. Đanić, Halid	1942	Podčauš
5. Zimić, Salih	1962	Peći
6. Ibršević, Salih	1943	Pripitolji
7. Sedkić, Zulfo	1966	Poševan
8. Smaić, Alia	1939	Tokoljaci
9. Hasanović, Semir	1975	Prohići
10. Mašić, Obran	1959	Zapolje
11. Sulejmanović, Salko	1942	Biljača
12. Omerović, Ibrahim	1940	Ljeskovik
13. Osmanović, Hasib	1930	Ljeskovik
14. Mehić, Mehmed	1954	Jagodnja
15. Rizvić, Sulejman	1947	Kamenica
16. Sejmenović, Mehmed	1946	Rovaši
17. Alić, Jahić	1936	Osat
18. Kabilović, Edhem	1936	Karačići
19. Mustafić, Nazif	1965	Drinjača
20. Mustafić, Huso	1975	Drinjača
21. Handić, Sevdalia	1965	Osmače
22. Krđić, Sadik	1942	Osmače
23. Salihović, Abdulah	1977	Skolići
24. Jusić, Fajko	1936	Podčauš

239
in total signed

The person who compiled this list, did not include his name (Ibro Nuhanović, born 1943) and the name of his wife (Nasiha Nuhanović, born 1947) and his son (Muhammed Nuhanović, born 1974) on the list. All three were present at the Dutch battalion's U.N. compound in Potočari when they surrendered to Bosnian Serb forces. Affidavits signed by three U.N. military observers (UNMOs) who also were present at the Potočari base at the time attest to the presence of the three aforementioned persons (Human Rights Watch/Helsinki retains copies of the three affidavits.). Thus, the total number of persons whose names are contained on this list is 242.

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